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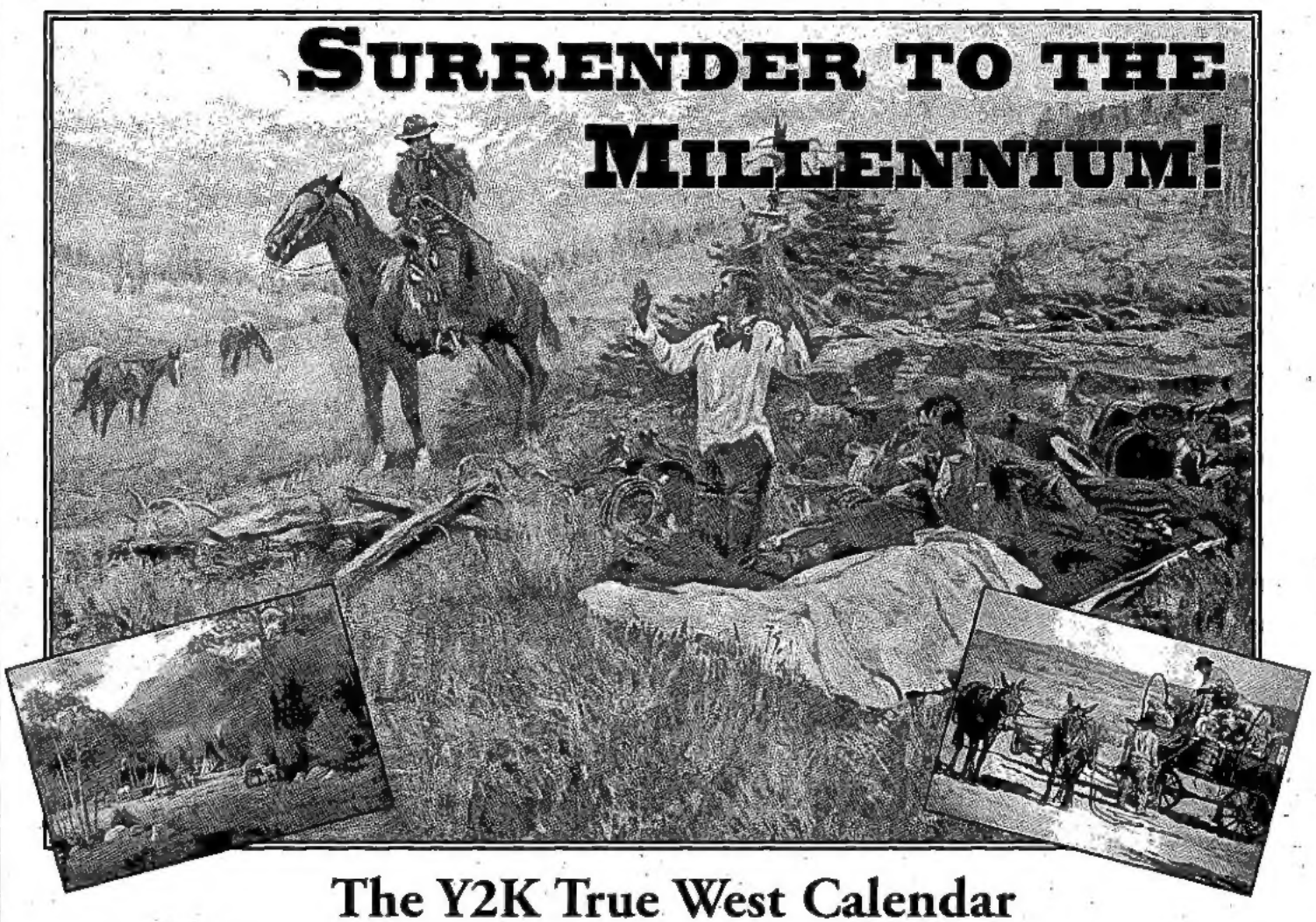

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FEATURES

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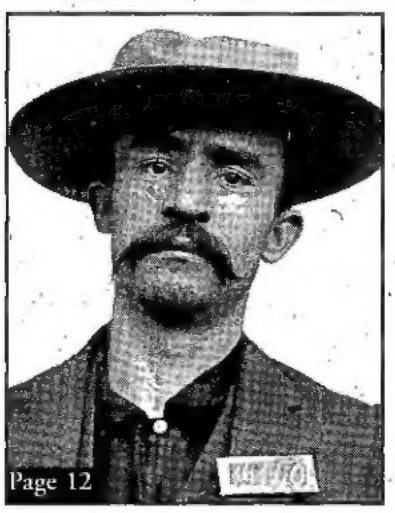
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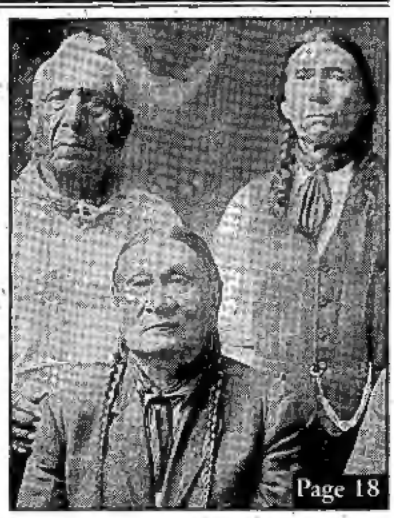
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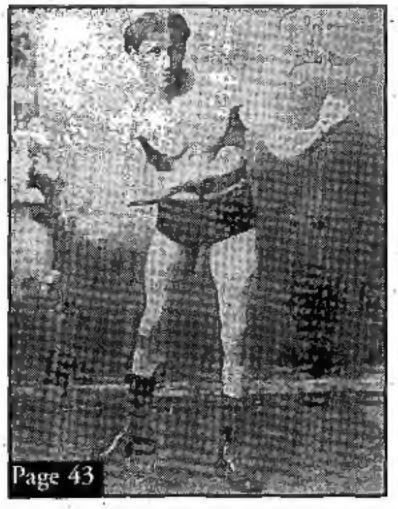
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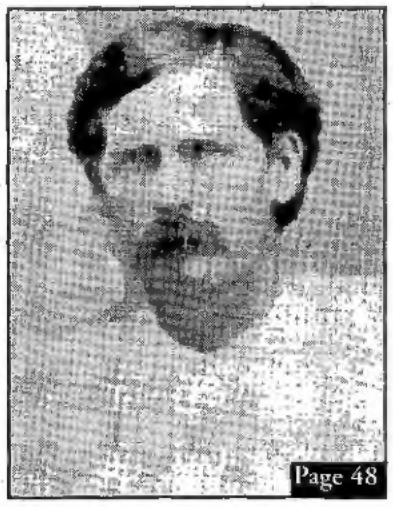
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From the Editor

Howdy, ya'll!

I'm just now settling back into my editorial duties, and my old chair is conforming to its familiar shape, having finally returned from a three-week sojourn to the annual meetings of the Western Association (WOLA) and the National Association for Outlaw-Lawman History (NOLA). Held in Buffalo, Wyoming, and Butte, Montana, respectively, attendance at WOLA and NOLA offered me the chance to visit the staggering array of local historic sites: the fighting grounds related to the Johnson County War; the sites of the Fetterman Massacre, the Wagon Box Fight, and Little Bighorn; Buffalo Bill's haunts at Sheridan and Cody, Wyoming; Montana's historic Dumas Brothel (now, a living-history museum, I'll have you know); Henry Plummer country; and the list goes on.

The highlight of these annual meetings, for me at least, are always the evenings. After the panel discussions and day-long research presentations, small clusters of western buffs, writers, and historians gather in the hotel lounge or on the front porch and discuss their many interests and latest revelations. Most of the time, however, we delight in nitpicking and usually digress to who killed John Ringo, or whether Tom Horn was framed for the assassination of Willie Nickell.

During one of these informal discussions, Phillip Earl, recently-retired curator of history with the Nevada Historical Society and a professor of history, related a comical tale regarding current, student sensibilities. Following a lecture on a particular aspect of the American West, one of Professor Earl's students proposed a theoretical question: wouldn't some of these outlaws have benefitted from some sort of therapy? Clutching our sides in laughter, we envisioned the variables: John Wesley Hardin attending anger management class; the James-Younger gang in group therapy; James Hickok and Billy the Kid on Prozac.

Although initially humorous to ponder, our glee came to a sobering halt when Earl informed us that not one student in his class disagreed with the idea. They shared the presumption that the violent ills of the frontier West could have been cured with a healthy dose of pop psychology.

This is not a new ideal; we have all, separately, confronted this mindset before. Not readily classified as revisionist, this thinking owes more to the self-justifying and ignorant view that the world will never be better off than it is now. It seems there is something akin to a twentieth century "filter" that many people, usually younger people, employ when they look back at history. Somehow, modern political, moral, and ethical beliefs have prevented the bearers of these filters from gaining a basic understanding of the past, the American West in particular. Western traditions and economic necessities such as prostitution, gambling, and liquor production become high crimes. Military and Indian conflicts become a clear case of good-versus-evil, with absolutely no middle ground to ponder. The deeds of outlaws, and some lawmen, become too easily justified as the result of misspent youth, post-traumatic stress syndrome, or a fractured self-image.

Perhaps, the most frightening aspect of this conversation, at least to me, was the realization that there isn't much you can do to remedy this sort of thinking. The most any scholar can do is present the facts, try to separate myth from reality based on the research at hand, and ensure that representations of history, such as film and literature, are fully explained in relation to the truth.

In the end, the interpretation and the conclusions will always conform to audience.

Marcus Huff

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Pros and Cons

Bravo on your response to F. Garcia's letter concerning Jose de la Pena's diary and Garcia's criticism of "amateur" historians [*True West*, September 1999].

Maybe it's partly because I'm a firefighter that Garcia's comments grated a bit. I know fire inspectors like Mr. Bill Groneman do a great deal of investigative work and must have a lot of curiosity and dedication, attributes that go right along with being a good historian. As to being a "professional" historian, I haven't been too impressed with many of them lately. Evidence such as the infamous Enola Gay exhibit at the Smithsonian a few years back and the continued efforts of politically correct revisionists to condemn any contribution of Western civilization to the settlement of North America leads to me to think they are anything but professional.

The controversy surrounding the battle of the Alamo will always be debated, which is only right. But there are a few indisputable facts to consider:

Approximately 180 men defended an old mission against a tyrant's army of 2,000-7,000 men.

They died to a man, fighting for what they believed was right. Whatever else, no one can deny that. They should be honored and remembered for their sacrifice.—*Trace Havard, Longview, Texas.*

Coonskin Crockett

As a history painter familiar with both the myth and the reality of the subject, my 10 x 23-foot depiction of the [Alamo] battle appeared in 1986 in the Witte Museum Sesquicentennial Exhibition in San Antonio, Texas.

My painting was of the last fifteen minutes or so of the battle as seen from the southeast gun position and disputes some of the conclusions drawn by Mr. [Thom] Hatch's article ["The Case for David Crockett," July 1999 *True West*].

If Mr. Hatch had read Bill Groneman's book, *Alamo Defenders*, he would have known that Captain William B. Harrison was the commanding officer of the so-called "Tennessee boys," who defended the southeast cannon position along the palisade. In Crockett's brilliant remark that he only wanted to be a "high private," he neatly sidestepped the labyrinth Alamo chain-of-command and still associated himself with Texian politics, all with characteristic grace and humor.

His very presence at the Alamo would have been uplifting to the defenders and his skill with a long rifle much appreciated, but it must be remembered that the palisade position's main strength lay in its sixteen-pound cannon and the crew of at least five to man it. No "last stand" was made here—by Crockett or anyone else.

When the combined elements of the First (west) and Second (north) Mexican columns finally broke into the Alamo plaza at the northeast, the battle was essentially over. The Fourth Column, under Colonel Juan Morales, skirted the palisade altogether and entered the Alamo plaza from the southwest, late in the battle. This was the force that finally assaulted the Alamo itself. The palisade position had done its job. There was little or no fighting there. Perhaps it had "grinned off" the Mexicans?

David Crockett will always be a hero to me. Greatness was built into the man Hatch's attempt to sanitize him and fit him into a Disney/Fess Parker image does not work. The final minutes of that battle will always be uncertain, but the bravery of those who were captured and then put to death by Santa Anna

SADDLE PALS By Graham Ward

NO NO, MR. TYMES... DIDN'T THE NURSE TELL YOU TO TAKE YOUR SHIRT OFF? YOU DON'T NEED YOUR PANTS OFF!
WUL CONFOUN' IT, DOC... SHE SAID STRIP TO THE WAIST... AN' SHE NEVER SAID FROM WHICH WAY!

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will never fade. They died without whimper or complaint.

Your cover illustration [by Gary Zaboly] perpetuates the fantasy shared by "coonskin-hatted boys forever"—grow up! It depicts a youthful, generically handsome Crockett. Perhaps it will sell as many magazines as Disney sold fake hats in the mid-1950s?

The real Crockett would have been *fifty years old* on his next birthday.—*Eric von Schmidt, Westport, Connecticut.*

Artist's Response: Crockett's actual dress at the Alamo on March 6, 1836, is not known. Mrs. Dickinson mentioned seeing "his peculiar cap" by his body, after the battle. Mr. Von Schmidt interpreted this in his mural-sized painting as a civilian-style cap with a visor, but presents absolutely no evidence for this interpretation.

Contemporary evidence disputes Mr. Von Schmidt's assertion that Crockett never wore a coonskin cap, or that he didn't bring one into Texas. Years later, Crockett's own daughter recalled him "dressed in his hunting suit, wearing a coonskin cap" when he left Memphis for Texas in November 1835. Journalist James D. Davis was another witness of Crockett as he left Tennessee, and noted that the frontiersman wore his "coonskin cap and hunting shirt."

Hunting shirts of buckskin, linen, or calico, and fur caps of a variety of animal skins, were often worn out on the frontier not only for hunting, but also for travelling and working in the field; reports abound of such durable attire being worn all along the Mississippi valley and Texas frontiers in the 1830s. Still, it requires no specially perceptive mind to accept that Crockett also brought with him good civilian clothes, including perhaps top hats and overcoats, but he well knew the dirty work ahead of him in Texas. Since hunting attire also served as the frontiersman's garb—whether the enemy was the British, the Indians, or the Mexicans—it is only logical that Crockett made sure to bring with him the more rugged, utilitarian hunting shirt and coonskin cap, as at least two witnesses indeed reported.

Why Mr. Von Schmidt finds it difficult to accept Crockett wearing proper frontier attire in frontier regions such as Tennessee and Texas is odd. In fact, there are Mexican accounts that do not contradict the hunting shirt and animal skin cap on Crockett at the time of the battle. Captain Rafael Saldana recalled "Kwockey" as wearing "a buckskin suit and a cap all of a pattern entirely different from those worn by his comrades." Sergeant Felix Nunez described Crockett as wearing "a long buckskin coat and a round cap without any bill, made out of fox skin with the long tail hanging down his back." Sergeant Becerra remembered Crockett wearing "a coat with capes to it," which is not inconsistent with a caped hunt-

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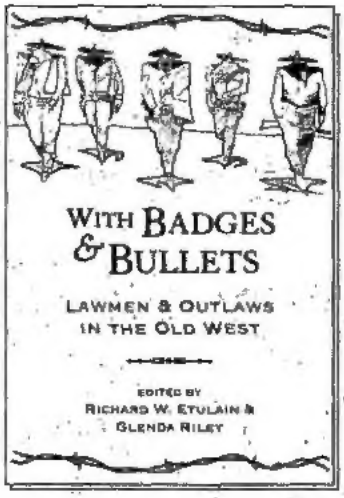

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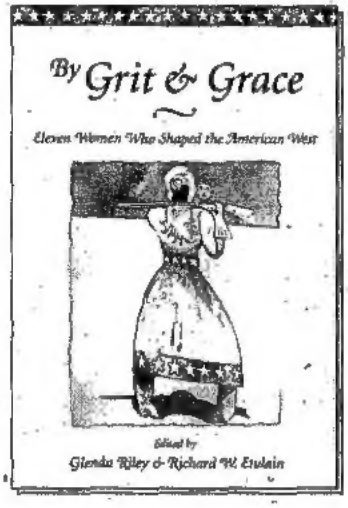

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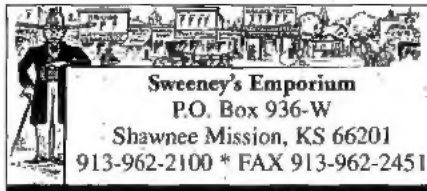

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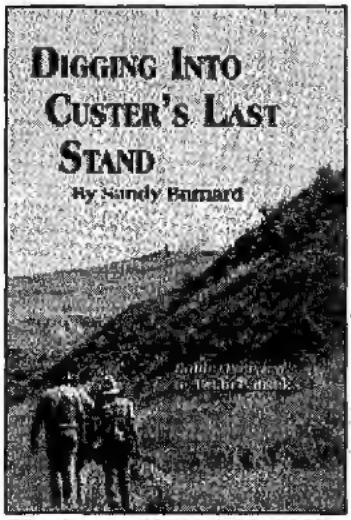

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ing shirt or coat.

My depiction of Crockett's features is consistent with two portraits of the congressman done in 1833 and 1834. To be sure, Crockett was nearing fifty, but he was not the grey-headed codger that Mr. Von Schmidt asserts he was.

Mr. Von Schmidt should take another look at the cultural history of the frontiers of Texas and Tennessee in the 1830s. Pioneer hunting clothing was both useful and necessary. In fact in 1833, the founder of Texas, Stephen Austin, had a full-length portrait painted of himself, dressed not in top hat or civilian frock or overcoat, but in a dark, fringed hunting shirt, and accoutered with bullet pouch and powder horn, knife, long rifle, and tomahawk. Truth, indeed, is stranger than unsupported revisionism.—*Gary Zaboly, Bronx, New York.*

"Hey, this is bailing wire!"

Thank you for bringing the rash of current [historical] rip-offs on the Internet to your readers' attention.

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Exit John Ringo

By Dave Johnson

Inextricably linked to Tombstone folklore and history, John Ringo remains a controversial figure of western history. To those who believe Wyatt Earp's version of events in and around Tombstone during the so-called Earp years, Ringo remains an outlaw. His obituary, which appeared in the Tombstone *Epitaph*, a newspaper generally cited as being pro-Earp, has been ignored in general, quite probably since it shows Ringo in a more favorable light. Yet, as hard research advances our level of knowledge, new information by contemporaries regarding Ringo and the Earps is being uncovered. One of these items was the Ringo obituary that appeared in the *New Southwest and Grant County Herald* on July 22, 1882. Under the headline "ANOTHER GREAT SOUL FLOWN," the newspaper reported:

> It is with much regret that we chronicle the demise of one of the most illustrious men of the southwest. Had the much lamented deceased lived in antiquity his fame might have surpassed that of Hector or Ulysses; but alas, republics are ungrateful, and no public honor was ever shown to the king of the cowboys. Born of poor but honest parents, John Ringgold [sic] surmounted all the obstacles thrown in his path and made for himself a name that should live in the history of the nation. Gentleman like and pleasant in his manner, even easy going in many ways, he was a rigid observer of the old fashioned frontier code of honor that unfortunately is fast disappearing. During the past few years thirty-two men dared to doubt his honor. They now fill thirty-two graves. He distinguished himself when at Shakespeare [New Mexico] by his fine and effective shooting, and is kindly remembered in that burg. Although he had man competitors in his line, he had no true rivals, and Curly Bill and Billy the Kid will not bear comparison with him. His body was found last week in the Chiricahua mountains with a bullet hole through the head. The supposition is that he was crossed in love and ended his sufferings in this tragic manner. Thus passed away in the flower of his youth a man who, had he lived, might have aspired to almost any eminent position. Alas! 'twas not to be:
>
> Car il etait du monde ou lew plus belles choses
> [For he was of the world in which the most beautiful things]
> Ont le pire destin,
> [Have the worst destiny,]
> Et Ringgold a vecu ce que vivent les roses
> [And Ringgold lived as live the roses]
> L'espace d'un matin.
> [The duration of a morning.]

What emerges from this contemporary view is confirmation of the *Epitaph*'s longer and better known article. Ringo was highly regarded by those who knew him and remains, as another contemporary once stated, the real Lion of Tombstone.

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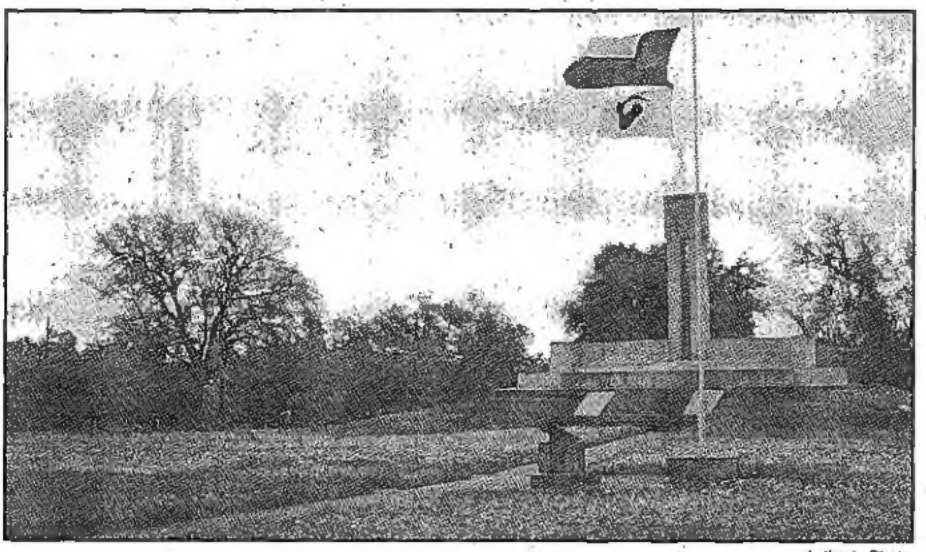
Presidio La Bahía AND THE Fannin Massacre

By Johnny D. Boggs

Palm Sunday, March 27, 1836. One Mexican soldier called it "a day of most heartfelt sorrow." In the south Texas town of Goliad at the Presidio La Bahía, Mexican soldiers marched out more than 300 Texans captured at the battle of Coleto, telling them they were being paroled to New Orleans. Under orders from General Antonio Lopéz de Santa Ana, the Mexicans opened fire on the prisoners. Fewer than thirty escaped.

At the presidio, Colonel James W. Fannin, Jr., and others too wounded to travel were carried from their rooms, shot, and buried with the



Author's Photo

A marker stands over the burial site of the Texans massacred at Goliad.

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Author's Photo

The Presidio La Bahía.

other victims in a common grave.

"Remember Goliad," like the more famous "Remember the Alamo," became a rallying cry during the Texas Revolution. And Fannin and his men as well as other early Texans are remembered at the restored presidio off U.S. Highway 183.

Presidio La Bahía had housed soldiers long before the Texas Revolution. Established by Spanish forces in 1721 near Lavaca Bay as protection against French encroachment, the fort was moved inland on the Guadalupe River in 1726 and relocated again in 1749, this time to its current site in Goliad.

Our Lady of Loreto Chapel was established on the northwest corner of the presidio for soldiers and Spanish settlers. The chapel, which still holds services, is the oldest building at the fort, as well as one of the oldest churches in the United States.

The presidio saw much activity during Texas' war for independence. Texans attacked the Mexican forces at the presidio on October 9, 1835. On December 20, ninety-two men signed the first Declaration of Texas Independence at the fort.

Restoration on the presidio began in the 1960s. Today, the heavy stone walls stretch across the parade ground. Bastions stand

The American Indian

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Author's Photos

The Presidio La Bahía, established in 1721 was moved to its present site in 1749. The presidio is the only fully restored Spanish fort in the United States.

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guard at each corner of the presidio, and artifacts and exhibits in the officers' quarters recall the area's history as visitors take self-guided tours. The chapel features the original vaulted ceiling and an 1846 painting behind the altar. The statue of the Virgin Mary outside the entrance was sculpted by Lincoln Borglum in 1968.

Just outside the presidio's walls is the reconstructed birthplace of Mexican General Ignacio Zaragoza, who as the minister of war under Benito Juarez defeated French forces at Puebla in south-central Mexico in 1862. The building and nearby statue comprise both a state and international historic site.

Just a few hundred yards from the presidio, a monument marks the grave of Fannin and the estimated 341 other massacred prisoners. The best time to visit is probably in the spring, when wildflowers cover the ground leading to the monument.

The Presidio La Bahía museum is open daily except Good Friday and Christmas from 9 AM to 5 PM. Admission to the presidio is $3 for adults and $1 for children. For more information, write Presidio La Bahía, P.O. Box 57, Goliad, Texas 77963. Or call (512) 645-3752.

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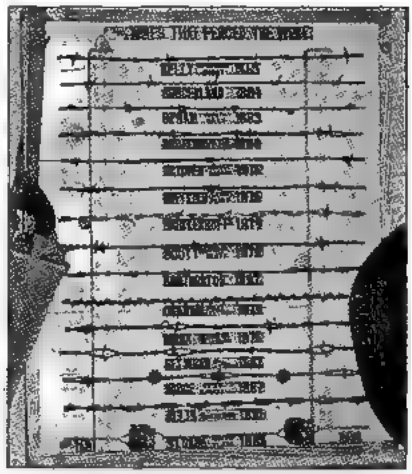

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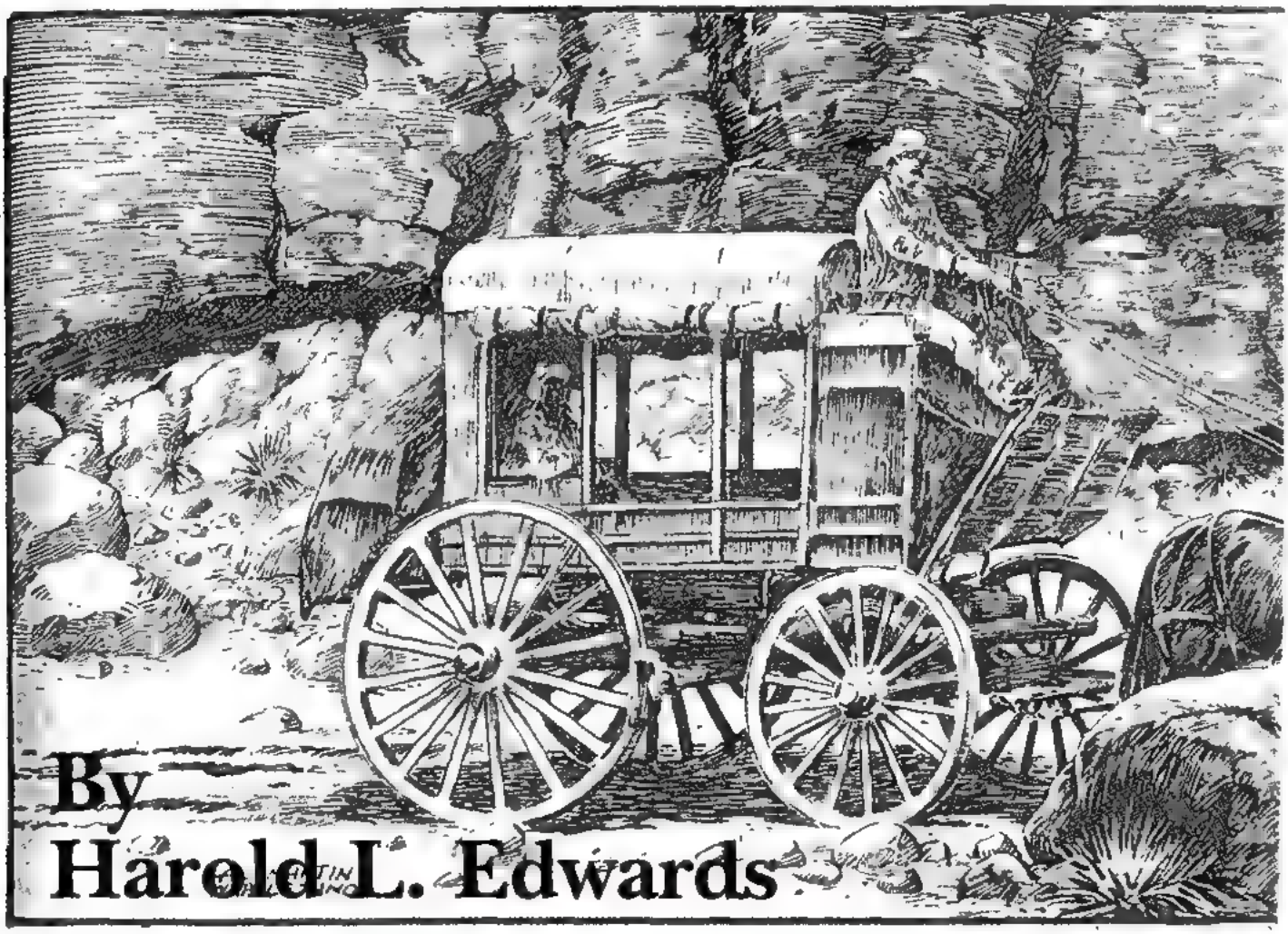
THE SOLO STAGECOAC

The robbery of the Solomonville-Bowie stagecoach in January 1894 at first appeared to be a usual holdup. Fortunately, during the robbery there was no shooting, no one was injured, and only the United States mail was taken by the highwayman.

No tough and determined posse pursued the bandit on a prolonged chase through the mountains and valleys of southeastern Arizona. The robber and his accomplices remained in Solomonville after the holdup and were quickly identified by law enforcement officers and arrested without incident. The *Tucson Daily Citizen* of December 4, 1894, however, reported sensational evidence presented during the bandits' trial and called the case "startling and original in the annals of crime." Perhaps the incident didn't meet the *Daily Citizen*'s lurid description, but the circumstances surrounding the Solomonville stagecoach robbery were certainly unusual.

On January 6, 1894, the southbound stagecoach left Solomonville for its thirty-five-mile, routine trip to Bowie, a railstop on the Southern Pacific line between Lordsburg, New Mexico, and Tucson, Arizona. The coach carried no strongbox as there was no express company money shipment on board. Consequently, there was no armed



By Harold L. Edwards

MONVILLE
H ROBBERY

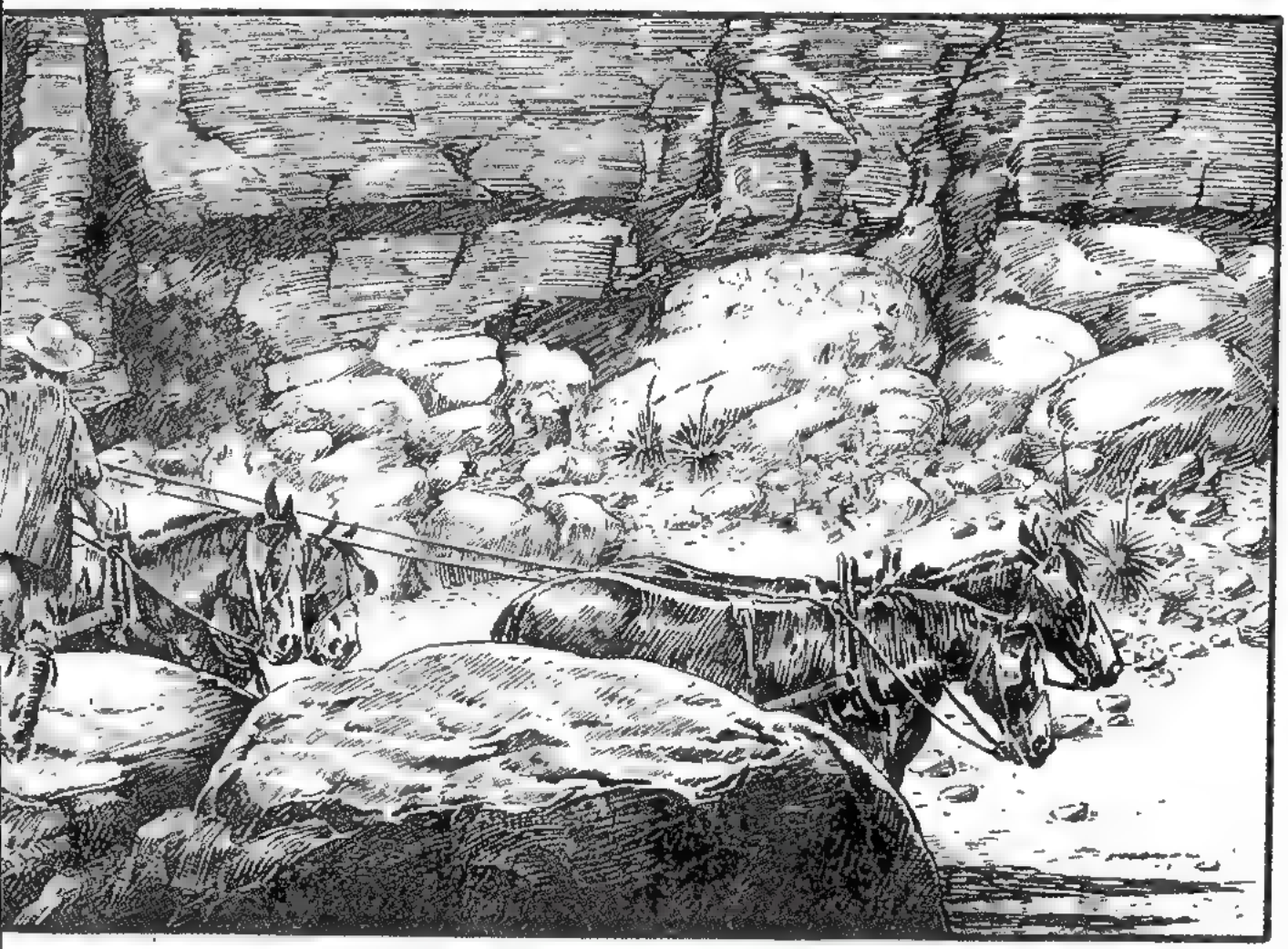
guard accompanying the driver on the trip. The coach carried only one passenger, Leslie Webb, a local schoolteacher, and a bag of U.S. mail.

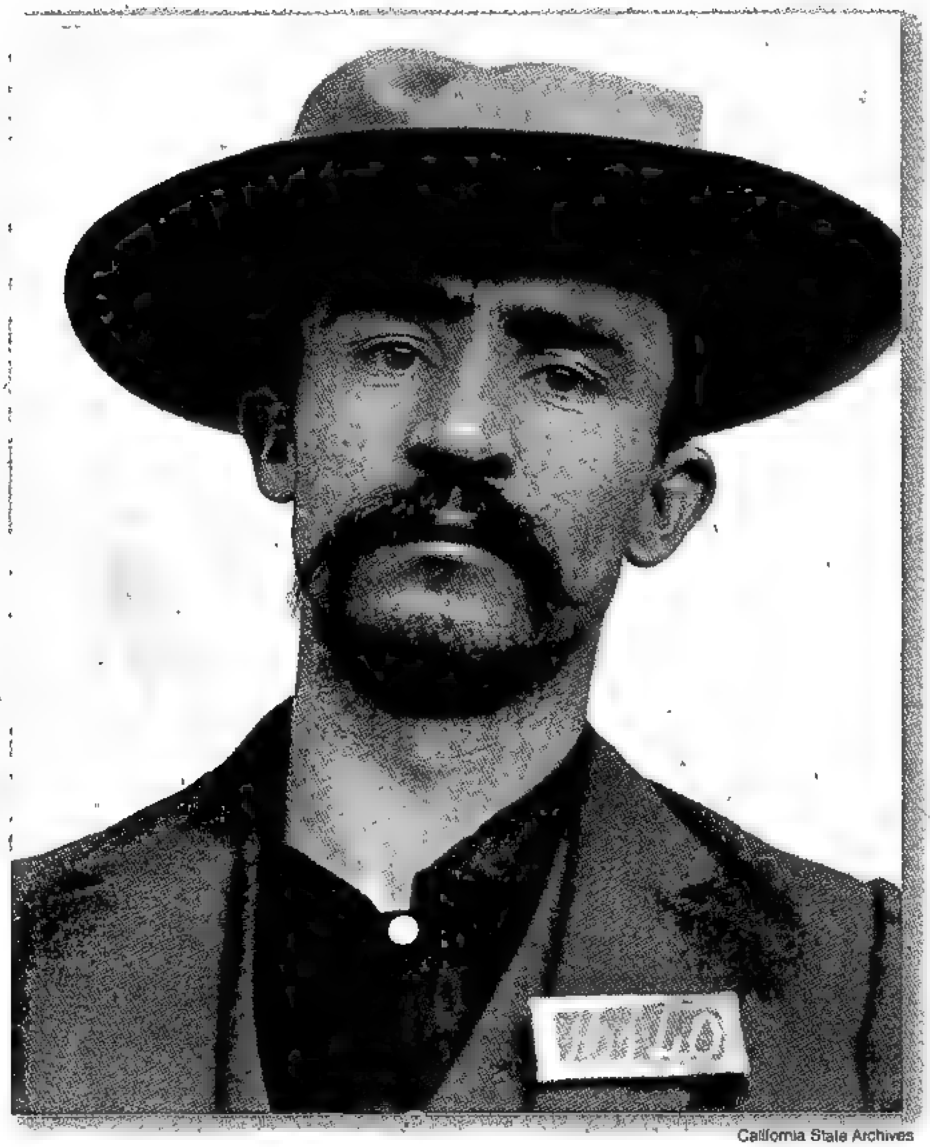
As the coach reached a point several miles from Solomonville, a masked man appeared in the road and waved a gun at the driver. The bandit ordered the coach stopped, and the driver obeyed the command.

There were two versions of the holdup in the local press. One report stated the bandit was on his knees in the road and had a pistol in each hand when he stopped the coach. From this position, he ordered the driver to throw the mail bag into the road. He then directed the driver and passenger to the ground. The outlaw forced the driver to cut the mail bag open, and Webb was ordered to place the registered mail into a sack the bandit had brought with him.

After taking the mail, the bandit pointed his pistol at the driver and Webb and told them to unharness the horses from the coach.

When this was done, the bandit, watching the driver and Webb carefully, went to the horses and gave each of them a swift kick to start them running down the road. Without robbing the driver and Webb, the outlaw ordered them to follow the horses. While the two men walked down the road, the





California State Archives

Schoolteacher Leslie Webb upon entering the California State Penitentiary at San Quentin for theft of U.S. mail, December 10, 1894.

On January 16, 1894, Sheriff Olney and Inspector Waterbury quietly and without fanfare arrested Webb, Felshaw, and Windsor for the Solomonville stagecoach robbery. Felshaw and Webb firmly denied they had anything to do with the holdup.

bandit mounted a nearby saddled horse, and rode away. The driver and Webb quickly rounded up the coach horses and returned to Solomonville where they reported the crime. The driver reported only one bandit held them up, but Webb insisted he saw two of them. In any event, a posse rode to the scene of the crime and followed the trail of one bandit back into Solomonville, where it was lost.

The other version of the holdup simply stated that a masked man, armed with a rifle, stepped into the road in front of the approaching stagecoach. He pointed his long-gun at the driver and ordered the coach stopped. The bandit told the driver to throw the mail bag to the ground and sent the coach on its way. In this version it isn't clear if the coach went on to Bowie or returned to Solomonville. In either case, the robbery was reported when the coach arrived at its destination and a posse rode to the scene of the crime. The officers followed the bandit's tracks back into Solomonville where they were lost.

Although the stagecoach bandit wasn't overtaken by the officers, lawmen continued to investigate the robbery. By asking questions around Solomonville, Graham County Sheriff George Olney and U.S. Postal Inspector George Waterbury learned that Leslie Webb had purchased money orders in the amount of $800 on the day of the robbery. Eight hundred dollars was a lot of money in 1894 and the officers felt that Webb's occupation as a schoolteacher wouldn't have provided him that kind of ready cash. Further, there were no recent loans or business transactions to place that amount of money in Webb's hands. Webb's money seemed to be a joint venture of some kind, and the officers wondered if it had something to do with the stagecoach robbery.

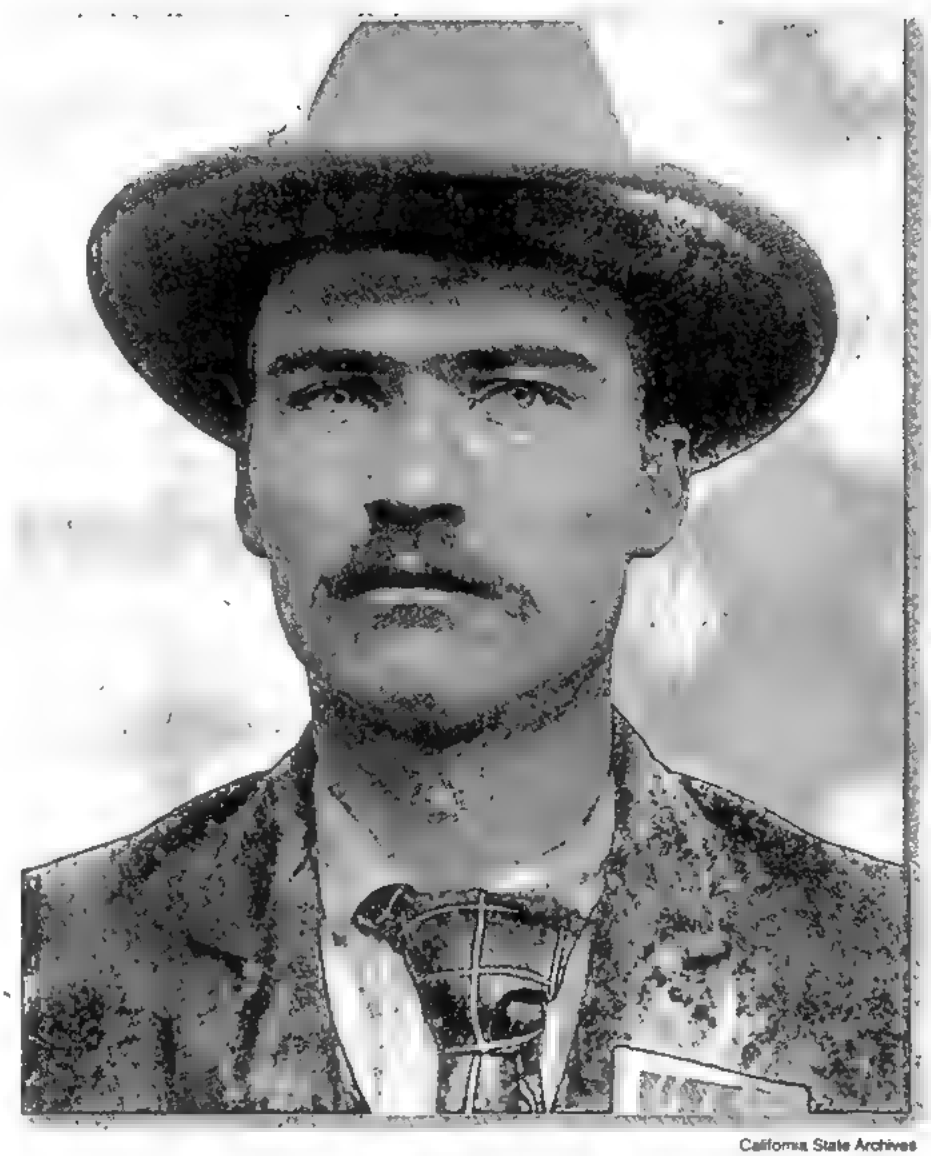
The investigation continued, and it was determined Webb had recently been seen several times in the company of a local farmer, Jacob Felshaw, and an elderly man named Windsor. On January 16, 1894, Sheriff Olney and Inspector

Waterbury quietly and without fanfare arrested Webb, Felshaw, and Windsor for the Solomonville stagecoach robbery. Felshaw and Webb firmly denied they had anything to do with the holdup. Windsor, however, cooperated with the lawmen and admitted he was a party to a conspiracy to rob the stagecoach. He implicated Felshaw and Webb in the robbery, and he enabled the officers to recover the money taken in the holdup. Charges of robbing the U.S. mail were brought against Felshaw and Webb in federal court, and the men were transported to the jail in Tucson to await the November-December term of court in Florence, Arizona. Lesser charges were filed against Windsor, and he was permitted liberty on bail.

On March 20, over two months after the robbery, the same stagecoach and driver were held up by two masked and armed bandits about eight miles south of Solomonville. As before, there was no money shipment or armed guard on board. The bandits took the U.S. mail and escaped on horseback. The robbery was quickly reported and within two hours after the holdup Graham County Deputy Sheriff Ben Olney had organized a posse and was in pursuit of the outlaws.

Shortly after they had committed the robbery, the bandits separated. On the following day, one of them was seen riding his horse past the Winchester ranch near Bowie. He was headed south, toward Mexico. Two days later, a posse trailed the bandit to Cave Creek in the Chiricahua Mountains about ten miles south of Galeyville in Cochise County. Obviously out-gunned, the bandit, Thomas Jackson, surrendered to the officers without a fight and was taken to the jail in Solomonville.

The other bandit, Frank Martin, was trailed by another posse west into Pima County where he was located and arrested. When he was confronted by lawmen, Martin gave up peaceably and was transported to the jail in Tucson. He confessed to the robbery and implicated Jackson as his accomplice. Jackson was transported to the Tucson jail and federal charges were lodged against both men for robbing the U.S. mail. Since both men pleaded not guilty to the charges, their court dates were scheduled for the November-December term in Florence. During the wait, Felshaw, Webb, Jackson, and Martin shared cells in the Tucson jail.



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Jacob Felshaw upon entering San Quentin on December 10, 1894. Felshaw robbed the Solomonville stage to help Leslie Webb acquire money orders from the U.S. mail.

In late November 1894, the cases of Jackson and Martin went to a joint trial. Both men were convicted of the charges against them; Jackson received a life sentence as a United States prisoner in California's San Quentin prison. Undoubtedly for his cooperation with officers, Martin received a five-year sentence in the same prison for the same crime as Jackson. After they were sentenced, however, Jackson and Martin were not delivered to San Quentin but retained in Tucson to await the outcome of the trial involving Felshaw and Webb. If Felshaw and Webb were convicted, all four men could be transported to San Quentin together.

Felshaw and Webb were tried jointly in late November and early December 1894. Their trial was reported in the local press as "sensational." Sixty-five witnesses were called, and forty-four of them actually testified. Of course, the prime witnesses were the stagecoach driver and the officers who conducted the

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Stage robber Thomas Jackson, from a mugshot taken at San Quentin, December 10, 1894

On March 20, over two months after the robbery, the same stagecoach and driver were held up by two masked and armed bandits about eight miles south of Solomonville. As before, there was no money shipment or armed guard on board.

investigations and made the arrests. Bank officials testified that the serial numbers of the recovered money matched the numbers recorded by bank employees prior to shipping the money on the stagecoach by registered mail. The most damning testimony against the defendants came from their crime partner, Windsor. He described his part in the robbery and implicated both Felshaw and Webb. He further testified he assisted the investigating officers in recovering the stolen money.

In has defense, Leslie Webb claimed he wasn't even in Graham County on the day of the robbery. He stated he was in Pima County that day, and his father and his sister verified his alibi. The prosecutor responded by saying that Webb, his father, and sister were "mixed up on their days," and he proved Webb to be in Solomonville on the day of the robbery.

Felshaw appears to have presented little in his defense other than to deny an involvement in the holdup.

A bombshell was dropped on the trial when the defense attorney called convicted robber Thomas Jackson to the witness stand. Jackson's testimony was unexpected and startling. He claimed he was the bandit who robbed the stagecoach on January 6, 1894. According to Jackson, he worked alone and no one else was involved in the holdup in any way. He stated that Felshaw and Webb were innocent of the charges against them. Jackson even gave particulars about the robbery.

The prosecutor held Jackson and his surprising claim in open contempt. He didn't even bother to cross-examine the witness. The prosecutor's lack of action disappointed the defense attorney. He wanted to examine Jackson in rebuttal to further emphasize the innocence of his clients. He moved before the court that his clients had a right to have the witness cross-examined. His motion was denied, and in his closing arguments he told the jury the defense had been denied the right to further examine

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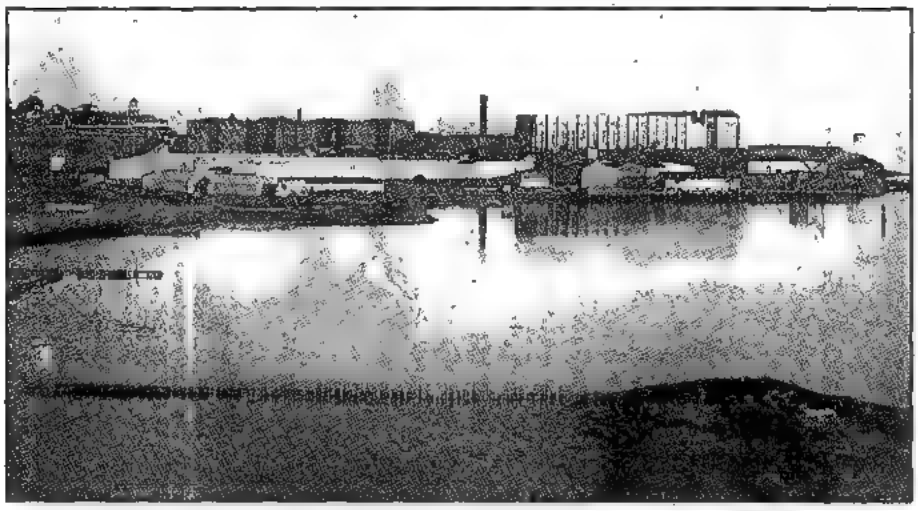
Jackson. The jury didn't take Jackson's claim nor his attorney's stance seriously.

Felshaw and Webb were found guilty of the charges against them, and both men were sentenced to ten-year terms in San Quentin. Windsor, for his part in the holdup, was fined $1,000 and sentenced to thirty days in jail.

After their sentence, Felshaw and Webb contacted the prosecutor and confessed to him they had committed the stagecoach robbery. It wasn't reported how they accumulated the $800 Webb used to purchase the money orders. Webb knew the bank wouldn't hold the money in Solomonville but would send it out on the evening stage to Bowie by registered U.S. mail. From Bowie, the money would be shipped to the bank's depository in Tucson. Webb purchased the money orders in his brother's name, Milo Webb of Deming, New Mexico. (Milo was not a party to the conspiracy and was unaware of the use of his name.) Webb booked passage on the stagecoach in order to see how the holdup would go and to travel to a place where he and his family were not known so he could assume his brother's identity and cash the money orders. He saw Felshaw, who was the actual robber, get the U.S. mail as planned, but he didn't proceed to Bowie; the stagecoach returned to Solomonville after the robbery.

The newspapers didn't report Windsor's part in the robbery, but it appears he was given the robbery proceeds to keep until the matter passed by. When the robbery was reported, Webb claimed there were two bandits in order to try and confuse the officers' investigation, not to implicate Windsor. If their plan had been successful, they would have doubled their money within a few hours. After the holdup Felshaw and Webb quietly returned to their regular occupations in hopes of avoiding suspicion.

Felshaw and Webb also confessed their plot to have Thomas Jackson assume the blame for their robbery and clear them of the crime. They informed the prosecutor they all felt that since Jackson had already been sentenced to life imprisonment for his robbery, another conviction of robbery wouldn't add further penalty. Jackson was willing, and Felshaw and Webb coached him in all details of their robbery while in jail. By the time Jackson appeared in court as a witness, he could recite the details of the crime as if he had been there and had committed the holdup. They were confident from their rehearsals and Jackson's testimony that their ruse would be successful, and they were disappointed when it failed.



California State Archives

Jacob Felshaw, Leslie Webb, and Thomas Jackson served terms as federal prisoners in California's San Quentin prison.

Felshaw, Webb, Jackson, and Martin were escorted from Tucson to San Quentin prison. They entered the institution on December 10, 1894, Felshaw as federal prisoner #16137; Jackson #16138; Martin #16139; and Webb as prisoner #16140.

San Quentin records reveal Felshaw to have been born in Utah. He was a farmer by trade, who stood 5' 9" tall and he was twenty-one years of age when he entered San Quentin. Leslie Webb, also born in Utah, was a twenty-five-year-old schoolteacher who was 5' 7-5/8" tall, had "a fair complexion, hazel-colored eyes and brown hair." Thomas Jackson was born in Iowa. He was twenty-one years and four months of age when he entered the institution. He gave no occupation and was listed as being 5' 8" tall. Fifteen years later, on January 24, 1910, Jackson would be moved to the federal prison at Leavenworth, Kansas, to continue serving his life sentence. Frank P. Martin was twenty-four years of age and born in Illinois. He gave his occupation as a "carpenter." He was "5'7 3/4" tall, had a fair complexion, hazel-colored eyes and brown hair." All four of these young men were twenty-five years of age or younger when they decided there were quicker ways of making money than working for it.

Apparently, the men were model inmates. Jacob Felshaw and Leslie Webb were pardoned by President William McKinley on May 29, 1897. Frank Martin served his term and received time off for good behavior. He was discharged from San Quentin on June 22, 1898. Jackson continued serving his sentence beyond the turn of the century. The three men released from prison early had no further brushes with the law and they drifted back into the obscurity from where they came.

Today, the Solomonville stagecoach robbery and its surrounding events do not illustrate an action-packed incident of the Old West; however, it is one of the most unusual robberies in the history of territorial Arizona.

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HONORABLE INTE

By Shelley R. Frear

From left to right, back row: James R. Mune, an interpreter and son of Captain Mune; Captain Jim (White Hawk), a scout under Maj
John Buffalo (Feather in Scalp Lock), a Skidi medicine man and scout under North; and John Box (Red Fox), a Skidi leader and sco
scout when very young. Seeing Eagle, Skidi warrior who served as a scout on every expedition; and Billy Osborne, a Skidi scout wh

TIONS

Nebraska State Historical Society

Pawnee Scouts Baptiste Bayhylle, left, and Andrew Murray. Both men served under Major Frank North.

Land lust and bloodshed—during the 1860s and early 1870s, it appeared the former inevitably resulted in the latter. Adventurous and war-torn Americans searching for new beginnings rolled westward, lured by the promise of virgin pastures and farm land. Settlements sprang up overnight alongside glistening steel rails as the Union Pacific drove further into the wild Nebraska Territory. This steady expansion did not go unchallenged. Soon the frontier exodus ran up against a mobile barrier: the Sioux and Cheyenne Indians. These nomadic tribes resented the intrusion and refused to surrender their ancestral hunting and burial grounds without a fight.

The plains tribes launched surprise raids against homesteaders, fledgling towns, and even the railroad tracklayers. This traditional warfare technique swept terror across the region, resulting in cries for permanent Indian removal. As long as Indians lived in the area, the settlers believed they were in an overshadowing and terrible danger. To the western populace, the answer to the Indian problem was simple: call in the frontier army.

With black smoke choking eastern Civil War battlefields, few soldiers were available to secure peace and provide a protective presence out west. General Samuel R. Curtis, major general of volunteers in command of the Department of Kansas, proposed an astute plan: recruit the finest warriors from the four Pawnee clans—ancient enemies of the Sioux and Cheyennes—and employ them as frontier army scouts. These highly-skilled, naturally-trained braves had an intimate knowledge of the plains geography that would afford the undermanned western army an important counterbalance against the hostile tribes.

From the Pawnee point of view, the opportunity for their warriors to act as army scouts was a lifesaving rope thrown to them as they swirled in the raging currents of change. Once a powerful force on the plains, the Pawnees had been drastically reduced by disease and warfare. Relocated by the United States government to a new reservation near Genoa, Nebraska Territory, the Pawnees found themselves surrounded on all sides by their enemies and dying from starvation. Enlistment of the men into the Scouts provided a steady paycheck that ensured food and warm clothing for families and a chance to engage their foes in a traditional manner. The army didn't have to struggle to sell the new program; the Pawnees were eager for the new opportunity.

While the army was readily employing the Pawnee Scouts out west, eastern forces were moving in another direction—one of pacifism.

Eastern humanitarians eagerly blamed an uncivilized and greedy plains society for the Indian troubles. They denounced a population composed of ruffians who feared neither man nor God as the only reason for keeping the U.S. "military machine" in operation. Unethical agents, the illegal sale of alcohol to the Indians, and an absence of consistency in governing the various tribes were additional points of contention in their philanthropic view.

Friends Historical Library

North and chief of the Peta-hau-rata band; g, left to right: High Eagle, who served as a ergeant in Company A.

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Both these regional voices, the eastern humanitarians and the western settlers, embraced their beliefs with fervor. Both mistrusted the motives of the other. Both turned to Washington for answers.

Under mounting political pressure in the years after the Civil War, President Ulysses Grant sought solutions to quiet the outcries from east and west. Eventually he settled on a civil-military operation, adopting a version of an 1867 plan by the Society of Friends, a religious sect more commonly known as Quakers. A delegation from this socially benevolent group proposed four main changes to remedy the nation's unjust Indian policy. They advocated justice and protection for all Indians, righting all past wrongs, restoring peace by appointing trustworthy, honest Indian agents and employees; and assigning each Indian a fertile, well-watered tract of land as a "permanent reservation to be solemnly secured to them forever."

Friends Historical Library

Northern Superintendent Samuel Janney.

To rectify the current deficiencies in the nation's Indian policy, Grant established two superintendencies in the western territories, a northern and southern. The northern, an area encompassing the entire state of Nebraska and its six reservations, was placed in the care of Hicksite Quakers, the liberal branch of the Society of Friends. Immediately the Quakers established a committee and selected sixty-eight-year-old Samuel Janney, the most noted Quaker scholar in America at the time, as their first superintendent.

Janney arrived at his new home in Omaha on May 26, 1869. Through the devoted efforts of his pre-selected Quaker agents, employees, and their families, small Christian communities were established within the reservations to teach and prepare their Indian brothers to live in the manner of their white neighbors. Virginia farmer Jacob Troth was chosen as agent for the Pawnees. He settled among them on the rolling grassy plains near Genoa. Immediately, he and Superintendent Janney devised a plan to disband the political and social structure of the tribe. With faith and a firm policy in hand, one of Janney's first steps toward establishing this goal was elimination of the Pawnee Scouts.

From the Scouts' conception, through the 1860s, the frontier army relied heavily on the Pawnee warriors to protect settlers and search out and engage hostile tribes. By their third year, operating under the army's righteous direction, they had engaged the Sioux and Cheyennes in numerous skirmishes. In 1867, 200 Pawnees under Frank North's leadership defended engineers and laborers of the Union Pacific Railroad against Indian ambushes. The Scouts were well-mounted, well-disciplined, and naturally aggressive in the business of warfare. In short, they were essential to the frontier army.

Their importance was formally noted in General Eugene Carr's report following the Battle of Summit Springs in July 1867, in which 150 scouts participated. The report read in part, "The Pawnee under Frank North were of the

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Samuel Janney's home in Omaha, Nebraska. Built in 1869, the nine-room structure served as both a residence and office for the Quaker superintendent. Barclay White is pictured on the front porch with an unidentified woman.

greatest service to us throughout the campaign...."

Riding high from recent victories over their enemies, it must have come as a shock to learn their new white chief, Superintendent Janney, wanted the western army's best guerrilla fighting force disbanded. In September, only four months after Janney's appointment began, he complained to officials in Washington about the "expediency of employing the Pawnee" in military service. He believed the scouts associated with "bad whites" who encouraged drinking and gambling. Agency employees penned correspondence to government representatives noting, "respectable white neighbors agreed with these views," but no petitions from outraged local citizens demanding disbandment of the Pawnee Scouts ever accompanied these statements.

Quaker sentiments were completely opposite those expressed by General Grenville Dodge several years later. Dodge, who had witnessed the Pawnee Scouts in action under Frank North's command, commented, "...probably no man was ever more worshipped than he [North] by the tribes of the Pawnee Indians, and his death was virtually their destruction, for during his life among them he held them under good discipline and kept them from vice, disease, and war."

The righteous Quaker brotherhood made no allowance for the Pawnee culture, traditions, or experiences when devising their divine plan to dismantle the Scouts. They gave no credence to the military earnings the warriors needed to help feed their families. Nor did the white leadership acknowledge the raids by Sioux and Cheyennes that killed the Pawnees and aborted their buffalo hunts and the mass starvation, disease, and reservation boredom that tightened the noose around the Pawnees' very existence. With their security and power structure deteriorating, the Pawnees instinctively embraced, mentally and physically, their social and cultural base. The Quakers' influence faltered, but they continued to focus on their ultimate goal of assimilation. Janney and Troth envisioned farming as the true heart of their conversion plan, ignoring the impact of droughts and grasshopper plagues that withered and devoured crops.

Agent Troth outlined a program to divide the reservation into individual family allotments, each family responsible for growing its own crops. The Indians' communal system would be obliterated, and within a single generation, the Pawnees would become self-supporting farmers. Together, the superintendent and agent developed a threefold plan to sever the very essence of the Pawnee and ensure the success of their goals. In addition to dismantling the Pawnee Scouts, the two men declared war on traditional Pawnee horse stealing and urged peace between the Pawnees and their bitter enemy, the Sioux.

This pacifist philosophy appeared ideal on paper. In practice, however, it was doomed from the start. The

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Quakers simply did not comprehend how religion, tradition, and ancient animosities intertwined in Pawnee life. Although noble, the Quakers' three objectives unraveled the very fabric of the Pawnees' identity.

Horse thievery, for example, constituted an act of bravery to the Pawnees and was favored as a manly, courageous accomplishment. The men elicited tremendous pride in their deeds and earned great honor in their brave quest for additional horses. Agent Troth viewed this endeavor in quite a different light. In January 1870, he seized upon the perfect opportunity to demonstrate his feeling regarding horse stealing.

Big Spotted Horse, a Pawnee warrior and veteran scout, departed with several fellow warriors on a horse raiding excursion into the south. At a southern Cheyenne village he lifted 100-150 (some accounts put the number at 600) horses and drove them proudly home to the Pawnee reservation. When he learned of this transgression, Agent Troth wasn't pleased in the least with Big Spotted Horse's talent. He ordered the participants to return the animals from whence they came. The braves flatly refused, knowing what awaited them should they venture too near the Cheyenne camp. With righteous indignation, Troth turned over the instigator and six of his accomplices to General Christopher Augur, and had them thrown in prison at the Fort Omaha Barracks.

An ally of the Pawnee Scouts, General Christopher Augur was a hesitant participant in the proceedings. Reluctant to place men in jail who had served his army so well in recent campaigns—indeed, men he might need again soon—Augur dutifully cooperated with the outraged agent. His compliance ended after two weeks, however, when he released the men from prison.

From Agent Troth's viewpoint, halting theft of Indian ponies by the Pawnees would induce a benefit that followed another of the Quakers' prime objectives: making peace with the Oglala and Brulé Sioux. He surmised if there weren't an abundance of horses to steal, the Sioux wouldn't bother with raids against the reservation. Therefore, the Pawnees would have no reason to fear attack and could safely evolve from their current system of communal support to settle and live separately on individual family farmsteads. Troth's straightforward way of thinking unfortunately lacked knowledge of the venomous hatred flowing through the veins of these plains tribes.

Superintendent Janney recognized the importance of harmonious tribal relations in order to accomplish his goals. He continued to press the Sioux for a peace treaty and even secured a meeting with Sioux Chief Red Cloud in Omaha, Nebraska, on June 22, 1870, as the Oglala chief returned from a visit to Washington, DC. During his eastern sojourn, Red Cloud made an appearance at Cooper Union in New York. There he spoke of the Sioux desire for peace and love. This sentiment did not extend to the Pawnees, it seemed. He flatly refused Janney's offer of a peace treaty between the two tribes, arguing the Pawnees had deployed men to join the white man's soldiers to make war against the Sioux. The Pawnee Scouts were an affront the Oglala could not tolerate and no peace offer was struck.

An overture to Spotted Tail of the Brulé was also refused. He responded by wire, saying he didn't wish to anger his Teton Sioux brothers by making peace with the enemy. He demonstrated his point in blood, sending a small band of his warriors to attack the agency. Three Pawnee women and two boys who had recently graduated from school were killed. There was no peace forthcoming, and the Quaker leaders quickly included these events as additional fuel for their scout disbandment bonfire.

Janney intensified his crusade to end the warriors' affiliation with the U. S. Army. Continually, he preached that the braves should be home taking care of their families and learning the honorable trade of farming. He suggested that galloping about the countryside engaging the enemy on the military's behalf succeeded only in keeping alive the feud with the Sioux and Cheyennes and should cease at once. As it turned out, his efforts were about to be realized.

In June 1870, the same month Red Cloud refused Janney's peace offering, the War Department, by request of the Office of Indian Affairs, prohibited further recruitment of the Pawnee because of "bad effects upon them." The Society of Friends had won a major victory. The facile transformation they had envisioned on paper could now proceed. The young Pawnee children were being taught in school to speak, read, and write in English. The boys learned trades such as farming and blacksmithing; the girls received instruction in cooking and sewing in the fashion of their white teachers. Pawnee women were tutored in home management and "proper" feminine hygiene by female Quaker employees. And finally, agriculture and animal husbandry instruction could be given to warriors who, until now, had been foolishly continuing their old ways while working for the army. Unfortunately, outside forces were at work opposing the Quakers' good intentions, forces that were too loud and powerful to be ignored.

On June 22, the same day Janney unsuccessfully wagered for peace with Red Cloud, a Columbus, Nebraska, newspaper printed an interesting debate held in the chambers of the United States Senate on June 5. The debate concerned the additional outlay of taxpayers' money for agricultural implements for the plains Indian tribes. Nebraska Senator Thomas Tipton argued against the expenditure because, "heretofore the plow has stood idle because of want of industry on the part of these tribes to follow and plant in the furrow after it has been turned by the munificence of this Government to them." Senator Tipton also remarked on the Quaker's desperate desire to turn the warriors from horse and lance

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to horse and plow. "Squaws work and raise a small amount of corn...but, the braves cannot condescend to follow your Indiana reapers and your Ohio plows. That is not in accordance with their dignity."

During one month's time, it appeared that the same government that prohibited the Pawnees from military service also denied them the funds necessary to purchase the additional farming equipment needed to further the veteran warriors' progression toward civilization and assimilation.

A more charitable, diplomatic, but honest response regarding transforming the Indians appeared in the June 29, 1870, edition of *The Platte Journal*:

> We believe that the Indian has good natural qualities; he evidently has some very bad ones, either natural or acquired, the worst of which, in our opinion, is that he will not work; he has not been taught that work is divine....If, by any means, the idea of work could be got into the brain of the Indian, there might be some hope of him and for him....

Hope for the Pawnees, and all Indians, was the true desire of the Society of Friends; to educate them, as they had helped to educate the freed southern black slaves, so they might have a chance to survive. The farming plan Janney envisioned was threatened, however, when the War Department lifted the ban on recruiting the Pawnees for scouts, after only a brief time.

The president of the Union Pacific, a man most knowledgeable and grateful for the efforts of the scouts along his line, was one of many who voiced complaint to Washington officials during the short injunction. He denounced the Quakers' "utopian notion of philanthropy," which in effect ended a program that deterred hostile warfare on the plains and allowed Pawnee braves to earn desperately needed money. General Augur, who anticipated needing eight or ten scouts for his summer Kansas campaign, also issued protest to General John Pope regarding the importance of deploying Pawnees into the field. By September, Major North had been ordered to enlist two companies of scouts from among the Pawnees for a campaign to the Republican River. The chosen Pawnees mustered in and soon departed with their companies to the field.

Unable to prevent recruitment, the Quakers continued to press

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This photograph was taken in 1871 after the Pawnees accused of the 1869 murder of white farmer Edward McMurry were released. Back row, l to r: Champion S. Chase, lawyer for the defense hired by the Quakers; Baptiste Bayhylle; Barclay White, the northern superintendent at the time; Henry M. Ailis, an interpreter; and Jacob Troth, a Pawnee agent. Sitting, l to r: Tie-ta-sha-cod-dic, Strikes chief of the Kitkehaxkis; Horse Driver, former prisoner; Yellow Sun, former prisoner; Little Wolf, former prisoner; Blue Hawk, former prisoner; and Tirawahut Lasharo, Sky chief of the Kitkehaxkis.

their mission to make peace with the Sioux. A new Quaker agent, William Burgess, took control of running the agency in January 1873. In July, preceding the summer hunting trip, Burgess sent several Pawnee chiefs, with French-Pawnee interpreter Baptiste Bayhylle, to Fort McPherson to powwow and smoke the peace pipe with Sioux chiefs. Despite their overture, no Sioux showed up. The Pawnees returned home wondering when their Quaker fathers would understand the Sioux did not wish peace. Later in the same month, 800-1000 Brulé and Oglala warriors attacked the Pawnees after a successful buffalo hunt.

Differing accounts put the number of dead between sixty-five and one hundred, the majority being women and children. Four women and five children were also taken captive. It was obvious to the Pawnees, if not their white leaders, that the Sioux were not governed under the same restrictive rules and would never make peace.

While in control of the Pawnee Agency in Nebraska, the Quakers, had little overall success in teaching their charges farming or in persuading them to settle and farm on single family allotments. The Quaker community, armed with noble idealism, did its best to convert the Indians. Unfortunately, the clash of cultures, land lust, the tug of army politics, and regional suspicions destroyed any true hope of a peaceful solution for the Pawnee Indians.

In the end, the Pawnee tribes were relocated to Indian Territory in present-day Oklahoma between 1874 and the winter of 1875-1876. There they fell under the leadership of the southern superintendency, the Orthodox Friends. The Pawnee Scouts continued to be an aspect of the frontier army, participating in skirmishes and battles across the western plains until they mustered out for the final time in 1877.

TRUE WEST T-SHIRTS

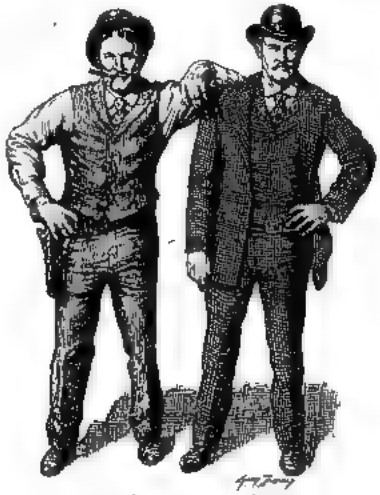
The Alamo

Custer

Kit Carson

Jesse James

Geronimo



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ODYSSEYS ON THE IDAHO TRAIL

By Hank Corless

Dave Shirk mopped sweat from his face, fished his tobacco sack out of his shirt pocket, and rolled himself a smoke. Hooking a leg over his saddle horn and inhaling deeply, he rode along slump-shouldered, oblivious to the vast panorama of the Great American Desert. Lazily, he let his piebald mare pick her way over the bunchgrass prairie, remaining parallel with the herd. After three months of eighteen-hour days, seven-day weeks, and all of it spent on horseback, Shirk was bone-weary tired. And he was bored from the monotony of watching the flat, featureless horizon, a drab mixture of greens and grays, unroll continually before him. Each day on the trail had been like the day before—doctoring boils and fighting scurvy, or occasionally fending off Indians or cattle rustlers.

Courtesy Amon Carter Museum

This A.R. Waud sketch from 1867 depicts a typical drove of Texas cattle crossing a stream on the way to one of the many profitable markets of the West.

But what was troubling Shirk the most was knowing that even with Dodge City and the Kansas railheads now behind him, the herd was still only half way home. Wiping his face once again, his eyes focused on a lone, thin cloud crawling across the extreme edge of the northern horizon. Other than that, he thought, the bleached-out, faded-blue sky was like the land: devoid of character. From the saddle he had watched the seasons come and go. Spring had given way to grueling summer months, where a relentless sun had burned the moisture out of the land and now fall was just beyond the cloud he was watching, drifting at the edge of heatwaves on the undulating horizon.

He looked at the stringy longhorns plodding doggedly along and wondered if the worn-out herd would make trail's end by the end of October.

While it is not exactly clear just who brought the first Texas longhorns to the Northwest over what was known as the Idaho Trail, it was certainly by 1867, the same year that the Chisholm Trail was opened as a cattle route. One source states that John Q. Shirley and Charles S. Gamble brought a herd up from Texas to southern Idaho Territory's Raft River country in 1866. Other sources credit two partners, George T. Miller and Sol Walters, for trailing the first Texas herd into the Fort Hall Bottoms of Idaho Territory where they sold it to an immigrant cattleman named Con Shea. Evidence suggests, however, that these first cattle might have actually been brought up from California.

The real credit probably belongs to Con Shea himself. A Canadian blacksmith, Shea had followed the gold rush to Idaho Territory a few years earlier and then made his way to the boomtown of Silver City, located in the Owyhee Mining District in the extreme southwestern corner of the new territory. In May 1867, Shea decided to enter the ranching business and established himself as a stockman on nearby Sinker Creek.

According to early accounts, the idea of actually driving a herd north from Texas was dreamed up by a Silver City businessman, Christopher Moore. With eggs running

Courtesy of Mike Hanley

Cornelius "Con" Shea was Idaho's most famous early-day cattle baron.

three dollars a dozen and cheese and pork at seventy-five cents a pound, Moore realized the potential for making a tidy profit from beef in the mining camps, where the standard fare consisted of sourdough biscuits, gravy, and beans. Legend has it that Moore and the madame of a house of ill-fame financed Shea's first drive to get cattle to the Idaho mining camps in 1868, over the long, dangerous route destined to be known as the Idaho Trail.

Beginning on the Brazos River in east-central Texas, the cattle herds had to be driven over eighteen hundred miles before reaching trail's end in Owyhee County, Idaho Territory. Northwestern cattlemen had little experience driving the tough, half-wild longhorns and the problems they encountered were many. Among the first to tackle the long trek north out of Texas, the cattle routes they followed were virtually unmarked beyond the Indian Nations, and entirely nonexistent beyond the railheads in Kansas. In the late 1860s, the route followed the Chisholm Trail north into Indian Territory, swung westerly into Colorado, then picked up the northern section of the Goodnight-Loving Trail to Cheyenne, Wyoming. From there it paralleled the immigrant route of the Oregon Trail across Wyoming Territory, down South Pass, into Idaho, and followed the southern bank of Snake River until it reached the Owyhee grasslands in the southwestern corner of the territory.

While less well known than more famous cattle trails streaming north out of Texas, the Idaho Trail certainly had the distinction of being among the longest. Still, at the end of the long drive, those early cattlemen who undertook the tough journey found a ready market waiting for them in the mining communities. When Shea sold his first herd, he realized a handsome profit and was able to set himself up as an independent in a new cattle venture.

In 1868 the two partners, Miller and Walters, also realized a good profit from their first drive over the Idaho Trail. They established the famed T Ranch in Idaho's Bruneau Valley at the same time Shea was busy setting up the foundation for his operations farther down the Snake River at Catherine Creek. The Owyhee country not only provided mild winters, but the thick grasslands were also stirrup-high; so high, in fact, that one cattleman noted that cattle could graze on it all winter without bending their necks.

With the start of a large scale cat-

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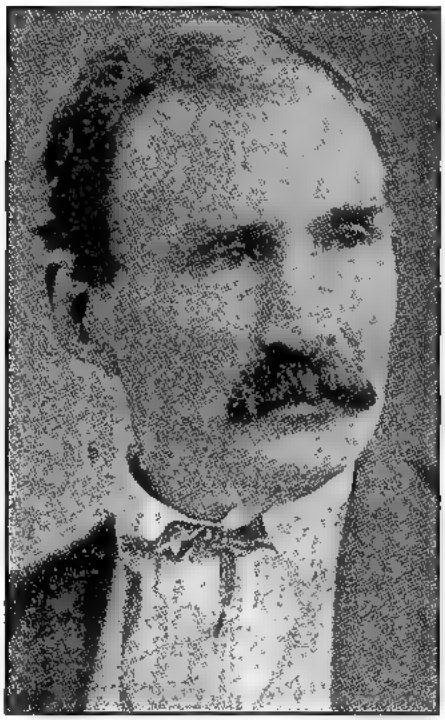
tle industry in Idaho, other ranchers who hoped to build up their own fledgling operations joined Shea, Miller, and Walters on their return to Texas in March 1669. A Sinker Creek rancher named Tom Busbee was Shea's partner that year, while another rancher, Bob Enos, became Shea's right-hand man when they reached the Brazos River. Dennis Driscoll, an experienced drover, was Shea's foreman.

Cattle were not the only things brought up from Texas on the long drive of 1869. A small wagon train of five or six families, seeking protection from possible Indian attacks, was allowed to accompany the herds to the Northwest. Birdy Cook, one of the two women in the train, left one of the few recorded accounts of the Idaho Trail.

From Texas that year they brought the cattle north by way of the Wichita and Smoky Hill roads in Kansas. Shea and Bugbee's herd took the lead, followed by the one belonging to Miller and Walters. The owners kept the two herds separated by having the wagon train between them, and when the wagons circled for the night, the cattle were herded tightly around it. Beyond the Cherokee Nation they were hit by a terrific rain and hail storm. Bugbee, Mrs. Cook noted, made his bed under a wagon on a pile of ox-yokes in order to keep out of the water. The cattle spooked that night and ran with the storm, and the drovers had to ride with them to keep from losing both herds. It was noon the next day before the cattle had been rounded up and the two outfits were moving once again.

Vast herds of buffalo and the chips they left in their wake furnished the only fuel for fires, but Shea's cook, Hungry Phil, made the most of it. It wasn't until they reached the Big Horn Basin of Wyoming that they had anything better. Beyond sickness and the ever-present threat of hostile Indians, even the small, personal inconveniences could easily become a hardship for the average drover. Shea lost his pants one day after a horse he was shoeing kicked, got tangled, and ripped his trousers to shreds. To his dismay, he found no one in the entire outfit had an extra pair. Reduced to wearing his longjohns, it wasn't until they neared the small town of Denver, Colorado, and his younger brother Tim showed up that he was able to get another pair.



Author's Collection

John Catlow was a butcher in Silver City, Idaho, when the first longhorns arrived from Texas. Acting as cattle agent, he sold "seed herds" to local ranchers and used the profits to invest in cattle ranches of his own. Oregon's Catlow Valley is named for him.

The long drive to Idaho could take six to eight months, depending on how hard the cattle were pushed. The hardy, long-legged longhorns could take it without substantial losses, but most had to be wintered over on the Owyhee grasslands before they were once again fat enough sell. When Shea returned to Texas in March 1870, he decided to bring the herd only half way. He left Bugbee to winter them on the Arkansas River, a hundred miles from Denver, while he rushed home to the Owyhee in time to marry his sweetheart, a woman he had met on the train the year before. It wasn't until the next summer that the herd finally arrived at his ranching operation in Idaho Territory.

By the 1870s the Idaho Trail had become a more practical and easier route to follow, with a large portion of it shifting course to a more permanent location. In the Indian Nations the trail took a northwestern fork of the Chisholm Trail to Dodge City, Kansas, then followed a northerly direction along branches of the newly established Western Trail to present Scottsbluff, Nebraska, before swinging west across Wyoming Territory and into Idaho.

While cattlemen the likes of Shea, Miller, and Walters originally blazed the cattle trail into Idaho, it was David Shirk's exploits for whom the trail is remembered as a famous part of western history. Shirk had come west in 1866 at the age of twenty-two, "bullwhacking" his way from Illinois. That fall he was in the Owyhee goldfields, and spent the next few years working at various occupations, including several winters as a herder for the T outfit while Miller and Walters wintered in California. Between fighting Indians and watching for rustlers, once a week he would drive fifteen to twenty head into Silver City, Idaho, where they were sold to butchers.

By 1871 he had saved enough money for his own investment and started for Texas to meet Miller and Walters, joining them as a junior partner on the long drive north. Traveling east to Cheyenne, he took the railroad to Denver and then went by stage through Colorado. After being stranded for two weeks due to high water at the Big Canadian River, he finally reached his destination at Waxahachie, Texas.

Miller contracted for fifteen hundred head of longhorns, two hundred and fifty of which belonged to Shirk. The price ranged from $4.50 to $5.75 a head.

Drovers and experienced Mexican vaqueros were hired for the drive. Not counting the foreman, one man was needed for every hundred head, up to five hundred.

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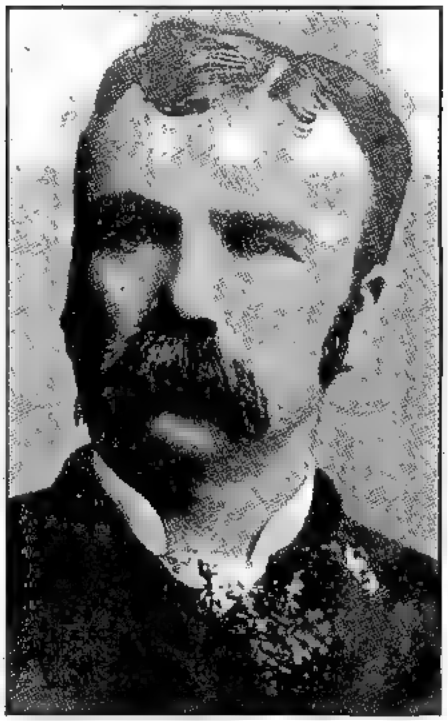
Above that, one man was needed per two hundred head. In addition, eight men were required to cover two shifts a night for at least the first two weeks. After the cattle had become "trail broke," only two men per night shift were needed, unless, as Shirk soon learned, there was trouble. The first night on the trail they ran into a severe storm and the cattle nearly stampeded. At that time the whole crew was put into the saddle to calm the herd

Shirk later wrote a book about his cattle drives up the Idaho Trail. In it he recorded the most detailed accounts of the route we have today. Crossing the Brazos River, the drovers picked up the main cattle trail near Cleburne, Texas, and started north. With cattle thieves lurking every step of the way, they had to double the night guards. But even then, before they reached Fort Worth, two of their oxen were stolen.

The dreaded hoof-and-mouth disease was spreading out of Texas and before they were allowed to cross over into Indian Territory they had to stand inspection. Before they traveled very far into the Nations they were once again stopped, this time by a band of Indians who demanded a payment of beef in exchange for crossing Indian lands. While Miller and Walters had learned to keep a few culls from the herd on hand for just such an occasion, Shirk, who was in charge while the two were away, stubbornly refused. When the chief threatened to "heap fight," Shirk responded by calling the well-armed drovers together in a show of force. The Indians backed off. Later that night the Indians returned, however, and in spite of having doubled the guard as a precaution, the natives succeeded in stampeding the saddle horses. It was only a stroke of good fortune that the punchers were able to round up the animals without any losses.

Great waves of dark, shaggy buffalos were still stretching to the horizon when the drovers and cattle started into the central plains, and Shirk was there to see the last of them. Even then they were already being shot for their hides, and great bone piles and rotting carcasses were everywhere.



University of Oregon Library

David Shirk drove herds up the Idaho Trail in 1871 and 1873 and later wrote of his experiences.

Beyond Coleville Station their route swung toward Dodge City and into more hostile Indian country. One morning before sunrise they were stampeded by rustlers who made off with a bunch of cattle. While the drovers began rounding up the herd, Shirk, Miller, and Walters sprang into their saddles and galloped after the cattle thieves. After a hard ride through the dark grasslands, they overtook the rustlers at dawn. Seeing their approach, the thieves shot up the cattle and rode off. By then the three owners' horses were played out and they had no choice but to abandon the chase and take the surviving cattle back to the herd.

The herd made good time beyond Scott's Bluff and on across Wyoming Territory. They crossed into Idaho Territory on September 10, went up Bear River, crossed over onto the Fort Hall Bottoms, and by October 1 they had started down the long, dry desert of the Snake River plains. For man and beast, it was the worst stretch of the Idaho Trail. After hundreds of hard, dust-choking miles, they finally drove the herd into the sprawling, green pastures of the Bruneau River Valley. To the Texas drovers and Idaho cowboys, the Owyhee country, even in late October, looked like paradise.

Shirk wintered his cattle on the Snake River and the following summer he contacted Silver City butcher John Catlow to act as his agent. Catlow sold the entire herd for $35.00 a head.

Besides a profit of over seven thousand dollars, that first trip for Shirk had taught him a lot about handling a long cattle drive. He benefited from the experience Miller and Walters had gained on their first drives up the Idaho Trail. They had taught him about the hazards: the dangers of quicksand and prairie fires and the risk of personal injury. Two years later, in 1873, Shirk returned to Texas for another herd of longhorns, having acquired enough experience and confidence to go it alone.

That year was to be the last official recording of longhorns brought up the Idaho Trail. In fact, 1873 was the peak of all the great cattle herds taking the trails out of Texas as more than 400,000 head were driven north across the Red River. The following year the number dwindled to 166,000 as traffic along the Idaho, Chisholm, Western, and the Shawnee trails dropped off sharply. The once-booming livestock industry had created a market glut in the East and the industry fell into a depression.

Things were better for northwestern cattlemen than for many others in the West during the next few years. In Idaho Territory, for instance, there was still a local market for meat in the gold camps and flourishing towns, and the longhorns provided seed for homegrown herds. Years later, in the 1880s, when the gold rush tapered off and the miners moved on, the cattlemen began running many of their surplus cattle back over the trail as far as the new railhead at

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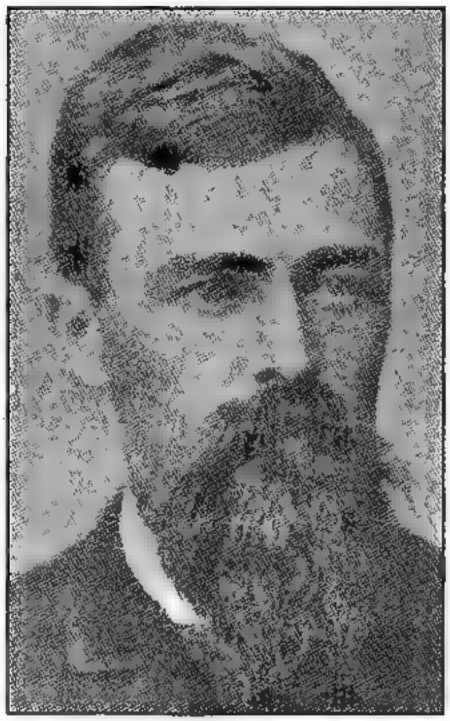

Author's Collection

J.W. Rowzee was one of Con Shea's top drovers on the long drive into the Northwest. He later established a ranch of his own.

Cheyenne, Wyoming, to be shipped east to the Chicago stockyards.

The Idaho Trail left a lasting impression on the cattle industry in the Northwest. At the end of the trail it ushered in the golden era of the western cowboy, whose time in the 1880s was at hand. Those early cattle drives that had brought the beeves to the grasslands of Idaho also brought an odd assortment of Texas cowboys—men who stayed on to add color and romance to a nostalgic era of western history. The vaqueros, famous gunslingers, black cowboys, and many ex-Confederate soldiers fleeing the aftermath of the Civil War brought with them a certain savvy of range skills and unique customs then missing from the Northwest. Soon, Idaho cowboys were easily identified when riding into local towns by their wide-brimmed hats, high-heeled boots, colorful shirts, and the traditional bright red bandannas knotted around their necks.

While the addition of Spanish bits and Navajo blankets brought in from the plains had a noticeable impact, some northwestern features and customs also influenced the newly arriving Texas cowhands. By the 1880s, for example, the cowboys of Bruneau Valley had abandoned their former saddles in favor of a Walker tree, single-cinch saddle purchased from a certain California saddlery.

The Idaho Trail was all but abandoned by the 1880s. As cattlemen built up their herds locally, there was no longer any reason to head to Texas for more. But those early trailblazers who first opened the route were to reap their just rewards. The cattle they brought led to the establishment of many prominent ranches in Idaho, and most of the early cattlemen became wealthy land and cattle barons on the new frontier.

Con Shea created an empire out of the rich Owyhee grasslands and ran thousands of cattle carrying his famous "Ox-yoke" brand. His wealth allowed him to invest in several profitable business ventures at South Mountain and to expand his holdings into eastern Oregon. By the time he retired to California in 1897, he had amassed a fortune worth millions.

Miller and Walters might have become barons also, but both seemed to tire of the ranching almost as soon as they got started. The partners fell in love and married two sisters, daughters of a wealthy Silver City merchant. In the early 1870s they sold the T Ranch, and took their brides and profits and headed for another life in California.

Dan Murphy, for whom the present-day county seat is named, bought part of their spread and made his mark on the land as a cattle king running the well-known Barbed Triangle outfit.

Even the butcher, John Catlow, became rich from the cattle brought up the Idaho Trail. He used his own profits to invest in local ranches and several mining and business ventures. He eventually moved his operations to southeastern Oregon's Steens Mountain country, where the famed Catlow Valley was named for him.

Even the early drovers and tough buckaroos earned their niche in history—Nigger Henry, Spanish Charlie, Reuben Stillwell (alias Tom Hall), and Jack Stoddard are only a few of the legends of the Owyhee country.

Courtesy of Mike Hanley

Con Shea met his wife, Marietta, in 1868 when her family joined the wagon train that accompanied the second drive up the longhorn trail from Texas to Idaho.

As for David Shirk, he left the Owyhee rangelands. Like Catlow and Shea, he took his cattle operation and crossed over into southeastern Oregon. He took up a homestead there and began acquiring land in the Steens Mountain and Harney Lakes country. By 1884 Shirk had 50,000 fenced acres, although in those days this was considered to be a smalltime operator. He did become a well-known cattleman, however, but not because of his wealth or holdings. He fought a personal feud and bitter range war with a former friend, Peter French, the most famous and ruthless of all the northwestern cattle barons, and won.

But that story, like the Idaho Trail, is only a fading memory, and now remembered by few.

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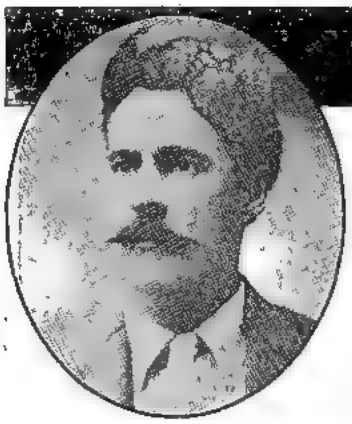

TRUE WEST LEGENDS:

HARRY WHEELER

By Bill O'Neal

July 23, 1875—Harry Cornwall Wheeler is born in Jacksonville, Florida. His father, Colonel William B. Wheeler, is a West Point graduate and career army officer.

1880s—Harry grows up on a series of frontier military posts, bustling with the activities of the Indian-fighting army. He absorbs the ideals of duty, honor, country, patriotism, and discipline and service. He is taught to shoot, and he becomes an exceptional marksman, with both rifle and pistol.

April 1, 1897—Harry enlists in the First Cavalry at Fort Sill, Oklahoma Territory, listing his occupation as "student." (He had been enrolled at a military school at the time of enlistment.)

February 14, 1898—Private Harry Wheeler marries Mamie Olivia Stafford. The wedding is apparently a social necessity; less than six months later William Allyn Wheeler is born to Harry and Mamie.

March 31, 1900—Wheeler is discharged, but a short time later he re-enlists for another three-year hitch. Within a year his outfit is transferred to Arizona, and while stationed at Fort Grant he is promoted to sergeant.

October 9, 1901—While grooming his horse at afternoon stables, Sergeant Wheeler is kicked in the left side, suffering severe internal injuries. Certified as disabled, Wheeler is issued a medical discharge a month later.

July 6, 1903—After working as a laborer at Willcox and as a miner at Tombstone, Wheeler enlists in the Arizona Rangers. The twenty-six-man force had been organized to quell the lawlessness that prevented Arizona Territory from attaining statehood. Destined to become the most outstanding Ranger in the history of the force, Wheeler is promoted from private to sergeant within four months.

October 23, 1904—On a Sunday night in Tucson, Sergeant Wheeler is informed that a holdup is in progress at the Palace Saloon. Wheeler pulls his single-action Colt and stalks to the front door of the saloon. Spotting the lawman, holdup man Joe Bostick whirls to fire, but Wheeler triggers the first shot. Grazed in the forehead, Bostick fires wildly. Wheeler then shoots him in the chest, and Bostick collapses to the floor, mortally wounded.

July 6, 1905—Lieutenant Johnny Brooks resigns from the Arizona Rangers, and Harry Wheeler is promoted to second-in-command of the company.

February 28, 1907—A lovers' triangle brings J.A. Tracy to Benson, armed with a Colt .45 and lusting for blood. Lieutenant Wheeler tries to intercept him as he steps off the train, but Tracy resists. In one of the classic duels of western history, Tracy and Wheeler empty their revolvers at each other. Wheeler is hit in the upper left thigh and the left heel, but he drills Tracy four times: under the heart and in the neck, arm, and thigh. With his opponent down but still firing, Wheeler drops his empty gun and throws rocks at Tracy until the man surrenders. The two wounded adversaries shake hands, but Tracy dies within minutes.

March 25, 1907—Following the resignation of Captain Tom Rynning, Wheeler takes the oath as commander of the Arizona Rangers. Harry Wheeler becomes the only Ranger to hold all four ranks: private, sergeant, lieutenant, and captain.

May 6, 1908—Captain Wheeler and another officer jump horse thief George Arnett in a canyon near Bisbee. Arnett tries to shoot his way to freedom, but the two Rangers end his escape attempt, and his life, promptly.

1909-1911—By 1909 there is so little outlawry in Arizona that the territorial assembly abolishes the Arizona Rangers. Wheeler soon pins on another badge, serving as a deputy sheriff of Cochise County for several months. In December 1909 he becomes a mounted inspector in the United States Customs Service, riding the border until January 1911.

October-December, 1911—With statehood approved, special elections are held for new officials. Wheeler is persuaded to run for sheriff of Cochise County. He defeats two other Democrats in the October primary, then wins

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HARRY WHEELER

True West Legends: Harry Wheeler

the December election. Sheriff Wheeler moves his wife, son, and daughter, Sunshine, to Tombstone.

November 1914—Industrious and popular, Sheriff Wheeler easily wins reelection.

November 1916—Sheriff Wheeler leads pursuit posses, cracks down on bootleggers, creates motorcycle deputies, and is awarded by voters with a third term.

June-July 1917—Labor agitators (Wobblies) and German sympathizers attempt to organize a strike to close the Bisbee copper mines. Sheriff Wheeler and many others are incensed at this threat to cut off Bisbee copper from the war effort. Wheeler appoints 275 special deputies and begins rounding up men responsible for the trouble. On July 12, 1,187 workers are loaded onto cattle cars and taken by train into New Mexico, where they are dumped off. Although public opinion enthusiastically supports Wheeler's actions, the "Bisbee Deportation" comes to be regarded as an appalling violation of civil rights.

March-December, 1918—As soon as the United States entered the "Great War," in April 1917, Sheriff Wheeler had lobbied for an army commission. He even attempted to enlist as a private in a combat unit, but was told he was too old. After pressing his case in Washington, DC, Wheeler at last is commissioned a captain in March 1918. Captain Wheeler resigns as sheriff of Cochise County, and in April he boards a troop ship for France. Languishing behind the trench lines for more than two months, Captain Wheeler is ordered back to Arizona to participate in legal proceedings regarding the Bisbee Deportation: Wheeler's outfit goes to the front without him, and the captain, bitter over missing combat, resigns his commission in December 1918, a month after the war ends. Wheeler then joins the Douglas, Arizona, police force.

1919—A superb marksman, Wheeler wins the high individual gun in 1919, and twice he represents Arizona at the National Rifle Association's annual meet.

October 30, 1919 —The marriage of Harry and Mamie Wheeler ends in divorce after twenty-one years. Less than two months later, Wheeler marries eighteen-year-old Jessie Wills. Wheeler and his new wife had three children: William John (Jack), born in 1921; Jessie Jacqueline, born in 1923; and Robert W. (Bobby), born in 1924. Sadly, Bobby dies the following March.

September 1922—In the spring of 1922 Wheeler announces his candidacy for a fourth term as Cochise County sheriff. But the Bisbee Deportation had damaged his popularity, and in September, Wheeler loses in the Democratic primary.

December 17, 1925—During the last years of his life Wheeler, one of Arizona's most important peace officers, tries to make a living through ranching, developing mine leases, and working a peach orchard. He falls ill late in 1925, and dies of pneumonia in a Bisbee hospital on December 17. He is buried beside his little boy, Bobby, in Bisbee's Evergreen Cemetery.

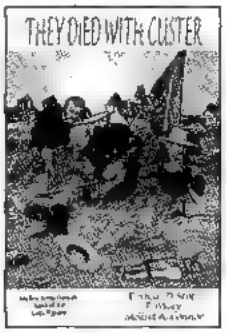
WHAT TO READ:

The Arizona Rangers, By Bill O'Neal.
Eakin Press, 1987

WHERE TO GO:

Bisbee, Arizona— In the adjoining community of Lowell stands a house where Wheeler lived and the baseball park where the Bisbee Deportation was initiated. Wheeler is buried in Evergreen Cemetery in Bisbee.
Tombstone, Arizona—From 1914-1918 Sheriff Harry Wheeler headquartered at Tombstone's ornate courthouse, now a state historical site. The Wheeler family lived across the street from the courthouse, and Allyn Wheeler, Harry's eldest son, was buried in Tombstone Cemetery.
Douglas and Naco, Arizona—At different times the border town of Naco served as headquarters for the Arizona Rangers. Later, Wheeler lived in Douglas while working on the police force.

BOOKMART



710—THEY DIED WITH CUSTER: SOLDIERS' BONES FROM THE BATTLE OF THE LITTLE BIGHORN. *By Douglas D. Scott, P Willey, & Melissa A. Connor* The authors use historic sources, archeological evidence, and physical data to present new revelations about the men who rode and died with George Custer at the Little Bighorn. Through painstaking analyses of skeletal remains, the authors construct composite biographies of the soldiers, identifying ages, heights, states of health, and mode of death. A vast selection of illustrations, including photos, maps, drawings, and graphs, enhance the discussion. 419p. University of Oklahoma Press.

Cloth, $29.95

752—AN OVERLAND JOURNEY FROM NEW YORK TO SAN FRANCISCO IN THE SUMMER OF 1859. *By Horace Greeley.* In the spring of 1859, Greeley, the celebrated editor of the New York Tribune, set off to explore the projected central route for a transcontinental railroad. An inveterate reporter, Greeley commented on everything he saw, from prairie dogs to the wonders of Yosemite. His reports had an immeasurable impact on the reading public and its growing interest in the West. 397p. University of Nebraska Press.

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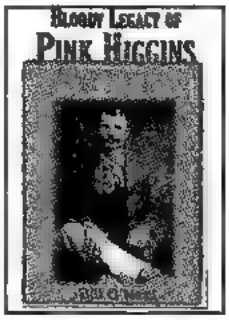
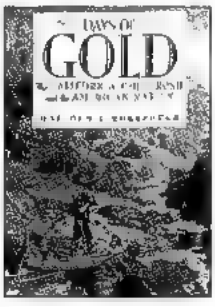
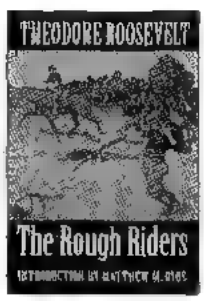


759—BLOODY LEGACY OF PINK HIGGINS: A HALF CENTURY OF VIOLENCE IN TEXAS. *By Bill O Neal.* Known as Texas' "reluctant gunfighter," Higgins participated in as many gunfights and killed as many or more adversaries as such shootists as Wyatt Earp, Doc Holliday, and the Sundance Kid. Not crazed to kill, Higgins was a hard-working family man, but like any prudent frontiersman, was also aggressive in defending himself and his interests. His story parallels the violence and bloody legacy of the post-Civil War West. 168p. Eakin Press. **Paper, $18.95**



648—DAYS OF GOLD: THE CALIFORNIA GOLD RUSH AND THE AMERICAN NATION. *By Malcolm J. Rohrbough.* Described by the author as an "introduction" to the stampede for gold in California, this book provides far more than the usual historical introduction. Exhaustively researched and engagingly written, Rohrbough's *Days of Gold* explores the whys, whats, wherefos, and wherefores of one of the most consequential sagas in American history and in the development of the American nation. "Rohrbough tells the story straight from the mouths (or pens) of those who lived it."—*Christian Science Monitor.* 373p. University of California Press.

Paper, $16.95



730—THE ROUGH RIDERS. *By Theodore Roosevelt; introduction by Matthew M. Oyos. The Rough Riders*, published the year after the Spanish-American War—or in Roosevelt's words, "the splendid little war"—is Roosevelt's account of the mustering of the regiment, many of the troopers of which came from the American West, the perils endured, and the horseback charge up Kettle Hill during the battle for San Juan Heights. This reprint gathers eleven important photographs from earlier editions of the work and also contains two new maps and an index. 320p. University of Nebraska Press.

Paper, $12.95

532—SOILED DOVES: PROSTITUTION IN THE EARLY WEST. *By Anne Seagraves. Soiled Doves* tells of the grey world of prostitution and the women who participated in the oldest profession. Colorful, if not socially acceptable, these women of easy virtue were a definite part of the early West. Illustrated with many rare photos, this book provides a touching insight into the lives of the ladies of the night. 173p. Wesanne Publications.

Paper, $11.95

588—DOC SUSIE: THE TRUE STORY OF A COUNTRY PHYSICIAN IN THE COLORADO ROCKIES. *By Virginia Cornell.* Cornell offers the true story of Dr. Susan Anderson who arrived in frigid Fraser, Colorado, in 1907 a dying woman, but who recovered her health and then, known as Doc Susie, ventured forth on snowshoes, horseback, and train to save the lives of the inhabitants of the Rockies. So desperate were they for medical attention they didn't care that she was a mere woman. 237p. Manifest Publications.

Paper, $14.95

701—STORM AND STAMPEDE ON THE CHISHOLM. *By Hubert E. Collins.* First published in 1928, Collins' autobiography chronicles the young ranch hand's life at the Red Fork Ranch on the banks of the Cimarron River in Indian Territory in the early 1880s. Learning much from rangy cowboys in residence and frontier characters passing through, Hubert enjoyed more adventure than he would ever know again. "Indeed irresistible"—*New York Times* 332p. University of Nebraska Press.

NEW SELECTION **Paper, $14.95**

728—STAGECOACH WEST. *By Ralph Moody.* First published in 1967, *Stagecoach West* is a comprehensive history of stagecoaching west of the Missouri. Starting with the evolution of overland passenger transportation, Moody moves on to paint a lively and informative picture of western stagecoaching, from its early short runs through its rise with the gold rush, its zenith by 1868, and beyond. Moody uses contemporary accounts, illustrations, maps, and photographs to flesh out his narrative. 359p. University of Nebraska Press.

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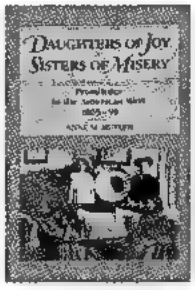

001—DAUGHTERS OF JOY, SISTERS OF MISERY: PROSTITUTION IN THE AMERICAN WEST, 1865-90. *By Anne M. Butler.* "Frail sisters," "fallen angels," "soiled doves"—whatever they were called, these women lived lives of nearly anonymous destitution. Butler's account of their lives bears scant resemblance to popular depictions in film and fiction. It reveals instead an existence on the brink of despair. 179p. University of Illinois Press.

Paper, $12.95

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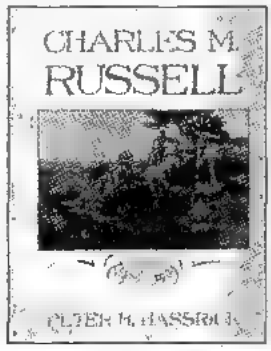
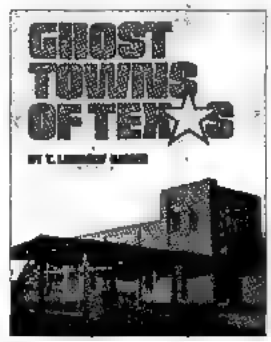
711—THE WEST OF BILLY THE KID. *By Frederick Nolan.* The author, a well-recognized authority on the life of Billy the Kid, has produced a comprehensive photo gallery of the life and times of the notorious New Mexico outlaw. In text and in more than 250 images, some published here for the first time, Nolan recreates the life Billy lived and the places and people he knew. 368p. University of Oklahoma Press.
NEW SELECTION! **Cloth, $39.95; Paper, $22.95**



764—CHARLES M. RUSSELL. *By Peter H. Hassrick.* Known as the "cowboy artist," Russell left us scores of splendid depictions of bronco riders, roundups, and everyday ranch life, as well as a wealth of paintings of Indians and their way of life. He chronicled the West in ink, paint, and watercolor. Included in this impressive study of Russell and his art are 102 illustrations, including 52 in full color. 156p. University of Oklahoma Press. **Paper, $27.95**



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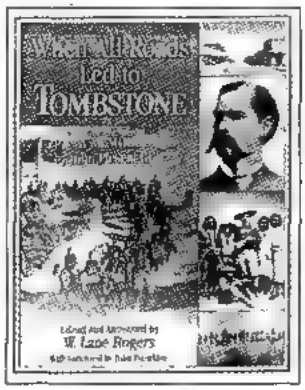

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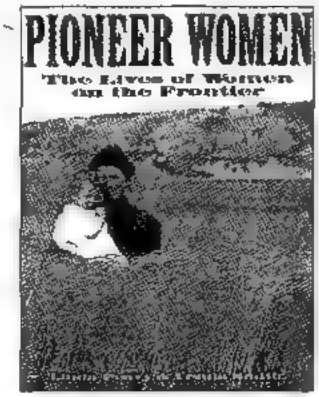

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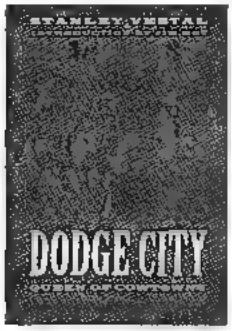

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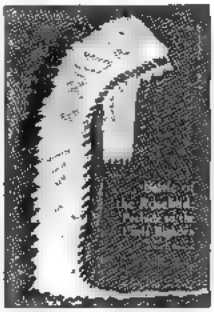

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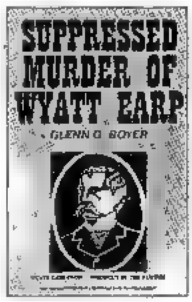

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Charlie Rath and the Incident on Chavez Creek

By Randy D. Smith

J. W. and W. Zere Hickman were looking for work in Council Grove, Kansas, in early April 1864, when they ran into J.W.'s old employer, Charles Rath. Charlie was trading with the Comanches and needed some men to accompany him back to his ranch at the mouth of Walnut Creek before heading out on a trading expedition. The young men agreed and after loading a spring wagon, the trio set out for the ranch. Charlie had put together the usual goods for such a venture—flashy trinkets, sugar, coffee, bright red and deep blue calico, and tobacco. Because Rath was fond of Ten Bear, a very old man and head chief of the Comanches, he purchased a complete outfit of wearing apparel for him. It was customary to give the head man gifts before trading started but Charlie was providing an especially luxurious offering because there was so much unrest among the tribes and it was good business to keep the old man on friendly terms.

Although only twenty-eight, Charlie Rath was far from a newcomer to the frontier. Charlie arrived in Philadelphia from Stuttgart, Germany, in 1848, when only a boy of twelve. His father, John Christian Rath, settled his family near Sweatwine, a store and post office community near Cincinnati, Ohio. Besides his wife Philomene Bertha and newborn Adolf, there were the other children, Chris, Charles, Will, Lewis, Hanna

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Charles Rath as he appeared at the time of the standoff with Knowles at Chavez Creek

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Caroline, and Louisa. Charlie was not fond of the backbreaking work of field labor and ran away in the early 1850s. Heading west to make his fortune, he joined a Bent-St.Vrain trading caravan to make a plains crossing. Arriving at Bent's Fort, he acted as a commissary man and in time became a trader for the company, roaming throughout the Kansas frontier. Rath, considered one of the better men at sign language, spoke several Indian languages well, especially Cheyenne. He followed the Cheyennes eastward across the plains on their annual buffalo hunt in the spring of 1855, trading for horses, furs, pelts, buffalo hides, and robes. Most of these goods were sold at Fort Hays or Kansas City at substantial profit. He reinvested his money in freight wagons and ran goods out of Fort Riley by 1858.

He also married into the Cheyenne tribe, his first wife being Making-Out-Road, a firestorm previously married to Kit Carson until she divorced him by throwing Kit and his Arapaho daughter unceremoniously out of her tipi. In her younger days, Roadmaker, as she was commonly known, was a vivacious beauty with a bit of influence among the tribe. She didn't have much luck with husbands, however. Her marriage to Carson lasted little more than a year and was marked by many violent quarrels. After Carson she married in short order two Cheyennes, Flat Head and Wolf Man, with equally disastrous results. When she met Charlie she had four children, twin boys, a girl, and another boy. It was Indian custom for the mother to keep the children after a divorce. Making-Out-Road means "laying down the law" in Cheyenne, a befitting name for this particular lady. Charlie was guided toward the woman by William Bent's wife, Owl Woman, who belonged to the same Little Bear clan. Other than a daughter, Cheyenne Belle, very little came of the union and it did not last. Rath spent far too much time away from home and Roadmaker would not leave her tribe when he wanted to build his businesses in Kansas.

Rath established a ranch on Walnut Creek four miles east of present-day Great Bend, Kansas. The ranch was managed by Harvey

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Charles Rath's first wife, Roadmaker, was previously married to Kit Carson.

West. The large, single-building structure functioned as a stagecoach stop, trading post, restaurant, and lodging house. A Santa Fe Trail toll bridge was also located nearby on the property. It was an ideal location to store livestock and goods assembled from trading ventures until transfer could be made to the city markets in the East. Although the operation was profitable, Rath was not a resident of this ranch or at least two others that he controlled, choosing to use it as a base of operations for his Indian trading and business ventures stretching from Fort Leavenworth west to Buffalo City (later Dodge City).

Rath was known as a man of cool courage, a fine horseman who always traveled well mounted, and a dead shot with rifle or revolver. He was commonly regarded as an Indian expert and a fair employer whose word was law. His Indian relations were good enough that he was usually warned by the tribes before they went on the war path. His ranch at Walnut Creek had been raided on occasion, however, and he had lost horses.

Rath respected Indians but did not trust them. Following the trading code of the Bents, he did not try to take advantage of the tribes but was not against taking a lucrative profit when the occasion arose. He illegally traded in whiskey but did not abuse the situation. He was regarded as a man who, like Carson or the Bents, could generally outguess the Indians and act accordingly. He occasionally acted as a liaison between the white and red communities and was called upon to go out alone on the prairie and convince the tribes to come in for conferences and negotiations.

As Rath and the Hickmans progressed west, Charlie kept the mules going at a good clip explaining that he was in a hurry and wanted to be at the ranch in three days. The ranch was one hundred fifty miles from Council Grove and the load heavy. They made the Little Arkansas stage station by late evening and were on the road for Cow Creek before sunrise the following day.

A heavy storm front caught their attention about mid-afternoon and although the cargo was tightly tarped, the men only had one heavy blanket on the wagon seat to pro-

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tect them from a soaking. Rath told of a house on Chavez Creek kept by an old man and woman where they could get protection from the weather. As the front closed upon the travelers, thunder sounded and lightning flashed. The sky became increasingly black and Rath commented that this was not going to be a storm that should be braved in the open.

Shortly he turned off the road, easing the mules along a narrow trail, explaining that they would stop and stay all night with the old man. Rath explained that the old man earned a scanty living trading for lame oxen that became foot sore and were unable to travel farther along the Santa Fe Trail. Caravans sold them cheap so they would not be burdened by stock of no value. The old man also trapped skunks and sold the hides for a few extra pennies.

Rath stopped the team within a hundred feet of the shack and instructed the men to unharness the team. He started toward the house, saying that he would order something for them to eat. As he approached the house he suddenly stopped, went into a crouch, and hurried back to the team.

The house was full of drunken Indians, and Rath feared the old people were probably dead. If they weren't, it was up to Rath and his men to get them out of such a dangerous circumstance. Rath took the blanket from the spring seat and stretched it over the rear wheel of the wagon to hide any light from the house. He struck a match, telling his men to examine their pistols to see that they were fully loaded and in good working order. As was the custom, all three men carried two, fully charged Colt Navy revolvers.

Rath told his men to remove their coats and pull the revolvers around in front so they could get at them quickly. He advised that they follow his actions closely and certainly not to draw their weapons unless he did. But, if the guns were pulled, they were to make every shot count as quickly as possible.

The Hickman brothers could only look at each other in wide-eyed wonder. Rath really did intend to walk into the middle of a band of wild, drunken Indians with nothing more than raw courage and a pair of Navy Colts. But, they weren't about to let him go it alone so they adjusted their revolvers and joined their employer for the long walk to the shack.

National Archives

Charles Rath's sixteen-year-old daughter, Cheyenne Bell (left), and Ada Bent, eleven, the daughter of George Bent

Rath walked to the door as quickly and quietly as possible and passed through without knocking with both Hickmans closely following. The room, barely sixteen feet square, was full of at least fifteen Kiowa Indians in various states of intoxication. In spite of a positive greeting of recognition from the Kiowas when Rath and his men entered, their bows were strung and arrows were in their hands. All of them watched Rath closely.

Rath spoke very quickly and loudly to the entire group. Although the Hickmans did not understand a word Rath was saying, it was obvious that they were having an effect upon the Kiowas. The Indians immediately unstrung their bows, put away the arrows and began slipping outside. Apparently Rath's arguments and the presence of three men ready to pull six Navy Colts was enough to convince the braves to retire.

As the last Indian stepped out the door, Rath closed and secured it immediately. Then with a look of urgency, he instructed the brothers to see if the old couple could be located while he remained at the door. The old folks were found in the adjoining room. They were crouched in a corner, almost crazed with fear. Every thing in the house was scattered and strewn about. The Kiowas had come to the house demanding whiskey. When the old man told them that he had none, the braves forced entry and began ransacking the house looking for it.

Rath immediately began helping the old woman gather her belongings. He instructed the men to clear debris from the room and watch carefully for Indian actions. He also instructed that they should prepare a meal. While the food was being prepared, he ordered the Hickman brothers to fetch the wagon and team to the front of the house.

With revolvers drawn, the brothers made quick passage to the wagon, harnessed the mules and led them back to the porch. Rath instructed that the outfit be left

Dodge City Cultural Heritage Center

Caroline "Carrie" Rath Bainbridge, Charles Rath's second wife.

next to the door while the men had their meal.

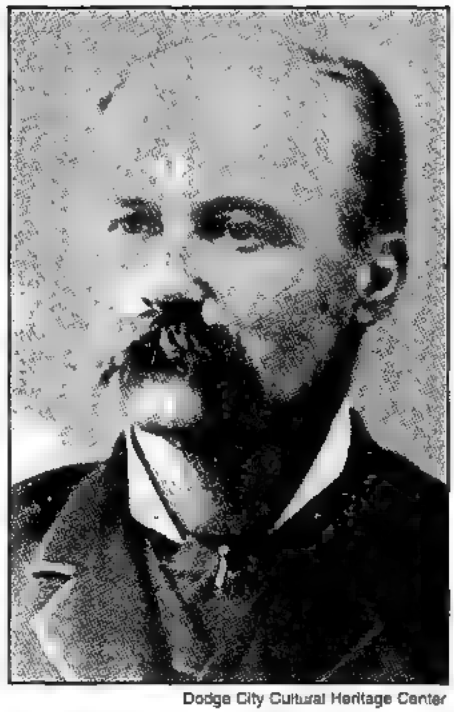
After the meal, Rath decided to stay the night and went outside to unhitch the mules, tying them to the back of the wagon for the night. He was concerned that the Indians might steal the stock or the trade goods, and possibly burn the wagon. He was equally sure that none of them wanted to venture into the darkness with angry Kiowas about. They kept careful watch throughout the night. Ironically, it never rained a drop. The Kiowas did not choose to go after the team or the cabin full of heavily armed men. The men chose to leave very early that morning. The old folks decided that the danger had probably passed and elected to remain behind. By sunrise Rath and his men were well on their way to Cow Creek.

After they had traveled some distance, Rath slapped the lines across the mules' rumps and began talking about the affair with the Kiowas. He admitted that he hadn't fully realized what they were getting into until they were in the room. Once committed he knew he had to run a bluff with the braves right from the start or all of them were done for Had the Indians rushed them at such close quarters, they would have been overwhelmed before any could have drawn their revolvers. After frankly explaining their situation, he dropped the subject leaving the brothers to contemplate how closely they had come to death.

Charles Rath and the Hickman brothers parted company at the Walnut Creek ranch. A few days later, Rath survived the defense of the ranch by an attack from Ten Bear's clan after a he made a perilous retreat from the angry tribe. Rath went on to become a founder of Dodge City, Kansas. He was a partner in Wright & Rath, one of the largest of the hide-buying companies of the great bison slaughter of the 1870s. It is Charlie Rath sitting on the pile of hides in the famous photograph of the Dodge City hide yards. He was instrumental in the founding of the buffalo hunting colony at Adobe Walls. He survived a bullet wound from gunfight with a robber in Larned, Kansas. It was Charlie Rath who coolly guided troops into the Canadian River country in pursuit of Indian attackers after the Lone Tree Massacre. His freighting company helped supply troops engaged in the Winter Campaign of 1868-69 and the Battle of the Washita. He established a freighting company that supplied goods for the building of the Santa Fe Railroad through southwest Kansas. He later lost a fortune attempting to establish Rath City, Texas, and building the Rath Trail from Dodge City through Mobeetie, Texas, to Rath City.

By 1902, the once wealthy man was reduced to playing a borrowed hand organ on the streets of Trinidad, Colorado, to get money for food. His sister supplied him with funds to continue a trip to California. He died July 30, 1902, at the age of sixty-six, of mitral insufficience, according to the death report, and was buried in Los Angeles.

In 1912, J.W. Hickman of Independence, Missouri, walked into the Rath & Bainbridge Drug Store in Dodge City, Kansas, to talk with the proprietor, Robert M. Rath, Charlie's son.



Dodge City Cultural Heritage Center

Charles Rath, successful Dodge City businessman, in his later years.

He simply stated that he had been thinking about his old employer and very dear friend, Charlie Rath. After telling about the time he had helped save the lives of the old couple on Chavez Creek, he ended the story saying that the incident explained the true character of Charlie Rath. Charlie was the type of man who went to their rescue without any thought of self in spite of the dangers involved. Many a man would have hitched the mules up and driven away. Hickman felt that in all his years on the plains he never saw another man display any more genuine nerve than he did from Charlie Rath that night on Chavez Creek.

When Robert told of his father's death in Los Angeles in 1902, Hickman was thoughtful for a moment, then said, "I am sorry to hear of his death. I never saw him but once after I left his employ and that was while he was in Kansas City buying his outfit for the Adobe Walls store. I thought at the time wherever there was a new frontier, Charles Rath would be there."

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Fight to the Finish

By Ron Jackson

The June 1, 1889, the *Vaca Valley Enterprise* reported northern California's big sporting news of the day—a dog-fight on a barge near Benicia. The small-town newspaper quoted a report of the event from a Benicia journal:

> The fight between a Vallejo and Benicia dog, which took place on a barge below the shipyard Tuesday morning, resulted as usual, the Benicia canine getting worsted. The Benicia sports lost considerable money on the fight, besides the purse of $500.

There was irony in the report, if not an omen.

Four days later, another fight was held on a barge near Benicia, and it was nearly as brutal as any dog fight. The showdown pitted a pair of San Francisco lads, "Gentleman" James J. Corbett and "Battling" Joe Choynski, and was arguably the most colorful pugilistic event ever staged in the West.

Heralded as a "fight to the finish," the bout nearly lived up to its advance billing.

Corbett and Choynski traded blows for twenty-seven bloody rounds. A sudden and dramatic flurry finally ended the marathon brawl, a bout some boxing historians have called the most brutal and savagely contested fight of all time.

Author's Collection

Battling Joe Choynski, a much smaller fighter than Jim Corbett, was a deadly bareknuckle fighter.

Even Corbett, who later lifted the World Heavyweight Championship from the great John L. Sullivan, gave the fight its proper due in his autobiography, *Roar of the Crowd.* Corbett wrote that he didn't anticipate the barge fight being "the very toughest battle that I had ever fought or was to fight." He said he received more punishment in that bout than in all his "other battles put together."

Proud Benicia old-timers still enjoy swapping tales of the historic barge battle, more than a 100 years later, although time has clouded the facts and fed the legend. Benicians once constructed an historical marker in Southampton Bay, where the fight occurred. The marker commemorated the "most unique fight ever staged," but it is no longer standing, apparently a victim to vandals.

Proud Benicia old-timers still enjoy swapping tales of the historic barge battle, more than a 100 years later, although time has clouded the facts and fed the legend.

But the story lives on.

Old-timers still claim when the tides are low in Southampton Bay, one can see the skeleton of the hulking barge that once served as the stage for the fight. The story is pure myth, yet such is the legacy of the epic brawl.

A Benicia pub, The Brewery, honors the fight with an intricate fifteen-foot mural that recreates the scene that memorable day. The mural was painted in 1946 by Les Vandre and shows fight fans crowding the ring on the deck of the barge. Other sporting men and fistic hacks cheer from rowboats.

"Not many Benicians know about the fight now," said Frank Andrade, former co-owner of The Brewery. "But when someone asks about it, we enjoy telling them the story."

The tale is worth hearing.

The Corbett-Choynski rivalry started in the streets of San Francisco, where the Irish Corbett and Jewish Choynski waged a ring feud intensified by social and ethnic differences. Their struggle for bragging rights led to four fights, the last two as professionals.

In their first meeting in 1884, Corbett looked across the ring and saw "a magnificent looking fellow with a blonde head and great strength." Corbett later recalled, "We had only been fighting for a minute or two when I knocked him cold."

Choynski and Corbett may have never traded punches again had it not been for their feuding brothers, Herbert Choynski and Frank Corbett. Both worked at San Francisco's City Hall and believed their respective brother was the superior fighter. Frank taunted Herbert over Joe's defeat until the latter angrily replied, "Even if Jim did lick him with gloves, Joe can knock the daylights out of him with bare fists."

A secret fight was soon arranged for a Sunday afternoon in a stone quarry just outside San Francisco.

Corbett's father heard of the planned fight and strongly objected, fearing his son could lose his job at the Nevada Bank. Jim remembered telling his father, "If you feel that way...I'll go up to Choynski's house like a man and tell him I can't."

The Irishman then marched over to the Choynski household on Golden Gate Avenue and encountered a third Choynski brother, Chauncey. Corbett requested to see Joe, only to have Chauncey bark, "You wait until this afternoon, you'll see him then, all right. He'll knock you all over the lot."

Young Corbett became enraged.

Forgetting his father's advice, Corbett was soon daring Joe to step outside and fight. Choynski obliged, and the two took their scrap to some sand hills outside of the city.

Corbett again emerged the victor. The angry Irishman preceded to take on one of Choynski's brothers as well and had "the satisfaction of putting [him] out for the count." When Corbett's father heard the news, his concerns turned to glee.

"You licked the two of them—the two Choynski boys?" he asked. "Ahh! To hell with the bank!"

And the feud continued to grow.

Over the next several years, Choynski disposed of all comers while representing the blue-collar Golden Gate Club. San Francisco's Jewish community embraced the muscular Choynski, and in the euphoria of his rise through the heavyweight ranks, one national Jewish newspaper proclaimed: "We are coming father Abraham!" The author of the article was none other than Choynski's father, Isador.

Corbett, meanwhile, was being groomed by the ritzy Olympic Club as the next, great, up-and-coming heavyweight contender. Corbett, who always dressed at the height of fashion, was a refreshing prospect with his fancy style in and out of the ring.

Financial backers thought so highly of Corbett they later showcased him in a much-ballyhooed, four-round exhibition in 1891 with then-heavyweight kingpin John L. Sullivan. The two fought at San Francisco's Grand Opera House in full dress out of respect for the ladies at ringside. At the conclusion of their black-tie affair, Corbett politely boasted, "I feel sure that I can beat Sullivan if I ever have a chance to meet him."

With Choynski, their rendezvous was never in question.

Rumblings of another Choynski-Corbett bout eventually spread from one San Francisco borough to the next. Irish fans naturally backed Corbett as the interest mounted for a third showdown, while the Jews gamely supported their man. Ethnic pride would be at stake.

Corbett and Choynski were destined to wage another ring war. But their third—and most famous—brawl would surpass anyone's expec-

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tations in drama, gameness, and courage.

The fight actually began May 30 in the loft of a Fairfax, California, barn. Fights outside of clubs were illegal in the state at the time, so the location was kept secret by supporters who fronted a $2,000 winner-take-all purse. Still, a number of uninvited guests swarmed to the secluded barn.

Several spectators came by carriage and horseback from neighboring towns, while those from the San Francisco area arrived via ferry boats and a train into Fairfax. Tensions ran high, prompting organizers to confiscate numerous firearms at the door.

Once inside, fans were escorted to the loft, where a ring had been constructed. Corbett and Choynski then appeared, but before the opening call for time, Corbett publicly bet his foe $500 that he would win. Choynski refused.

In nearby San Rafael, word had reached Marin County Sheriff John Healey of the fistic event. Healey immediately set out to halt the proceedings, although he did not know of its location. His wild hunt eventually brought him to a dirt road that led to the barn. Promoters had swept the road of any tracks, but the loud cheers and shouts gave away their hideout. Healey quickly came upon the large gathering of carriages and horses outside the barn.

He took a deep breath and stepped inside.

Corbett and Choynski had just finished the fourth round in which Corbett broke knuckles on his right hand. Nor did Choynski escape unscathed. He was knocked down in the first round. But a winner didn't emerge this day.

"Boys," Sheriff Healey said, "I thought the fight would be over by this time. I'm sorry to stop it, and if you will go over into the next county, I'll sit in. But I have to stop it now that I'm here."

Promoters took Healey's advice.

Six days later, Corbett and Choynski were back in the ring—game, still but battered from their four-round encounter in Fairfax.

Handlers from both camps secretly selected a long grain barge anchored two miles south of downtown Benicia in Solano County as the site for the fight's continuation. Promoters believed a fight on the bay would confuse the Benicia police and the Solano County sheriff over legal jurisdiction, as well as authorities from Contra Costa County across the bay.

Still, they took no chances. Few were told of the fight's real location. Keeping the bout a complete secret, however, was near impossible.

Fans were kept abreast of the "secret" fight through daily reports in San Francisco newspapers beginning in early May. One report even noted, "Considerable money is being quietly bet on the Corbett-Choynski battle...."

Rumors of the fight's resumption picked up so much momentum that on June 1, large, eager crowds followed the handlers of both fighters throughout the day. To everyone's disappointment—especially the poor handlers—the rumors were false.

Such was not the case on June 5. At roughly 3 AM, the tugs *Sea Queen* and *Joseph H. Redmond* chugged into Southampton Bay after a 2 AM departure from a San Francisco wharf. The tugs carried the fight's promoters, prominent San Francisco businessmen, politicians, sports writers, and a few fortunate fans who secured the correct tips and stowed away in the cover of darkness.

Spectators were soon being transported from the tugs by rowboats to the barge, anchored off the mud flats of Dillon's Cove. In the rush and anxiety to secure a prime location on the barge, one boat capsized and nearly drowned those aboard before they were rescued. One of those snatched from the icy water was San Francisco Senator Phil Crimmins.

Over the next three and a half hours, local fishing vessels, sailboats from nearby Vallejo and Benicia, and men in rowboats nestled close to the barge in eager anticipation of the upcoming scrap. The *San*

CHRONICLE, THURSDAY, JUNE 6, 1889.

CORBETT WINS.

A Desperate Fight on a Barge.

Twenty - Seven Bloody Rounds.

Choynski's Pitiable Condition at the Termination of the Battle.

Author's Collection

The June 6, 1889 *San Francisco Chronicle* described, in great detail, the bloody Corbett-Choynski bout.

Francisco Chronicle described the clever setup at ringside:

> At 6 o'clock everything was ready for the fighters. The ring had been pitched aft of the wheelhouse and a new level floor laid over the rough deck of the barge. The padded ring stakes of a San Francisco club had been set up and the floor of the ring plentifully strewn with rosin. An old sail had been hoisted up beneath the wheelhouse to shelter the fighters from the morning breeze, which was unusually raw and disagreeable.

So would be the ensuing fight. In an interview with boxing historian Nat Fleisher many years later, Corbett recalled, "Before the battle was half over, some of the spectators were so sickened by the sight of the red carnage, that even hard-boiled ring fans looked away...." Yet no one in attendance—including the participants—anticipated the drama that would follow.

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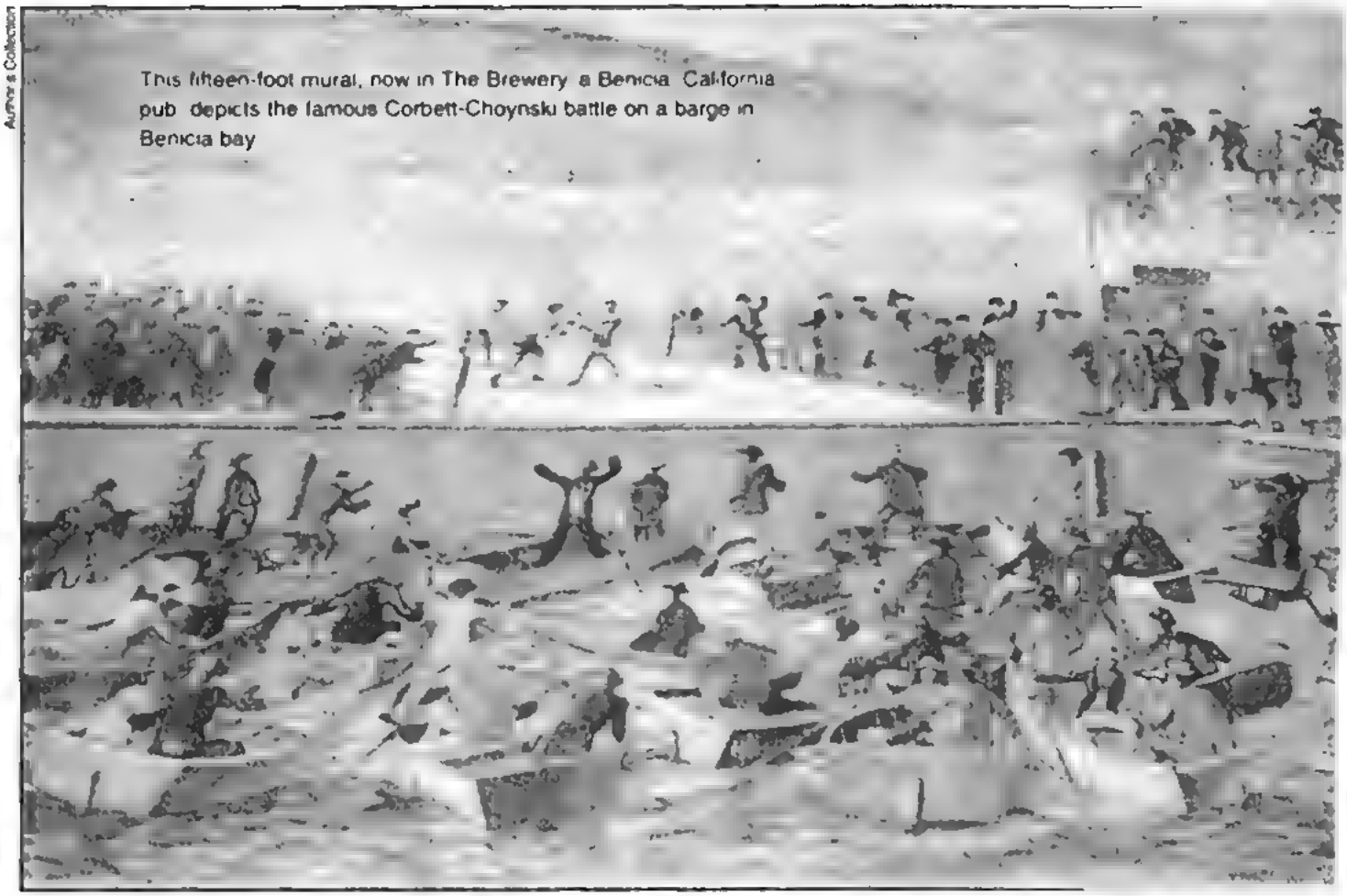


Author's Collection

This fifteen-foot mural, now in The Brewery a Benicia California pub depicts the famous Corbett-Choynski battle on a barge in Benicia bay

Calm settled into the crowd as Corbett, wearing pink tights, low running shoes and white socks, boarded the barge around 6:15 AM. Like Choynski, Corbett had spent the previous night in Benicia. Now the Irishman chatted with his brothers and referee Patsy Hogan while waiting for Choynski to strip down in the wheelhouse.

The six-foot one-inch, 180-pound Corbett was considered a strong favorite, despite his injured hand, because of his reputed slick boxing skills. Although his technique would be considered primitive by today's standards, Corbett was a master at feinting and jabbing. For this, his followers dubbed him the "Professor," and ring historians would generally regard him as the forebear of modern boxing.

Choynski's emergence from the wheelhouse prompted a buzz from the spectators who choked off the ring as the Jewish hero ducked through the ropes. The five-foot ten and one-half inch Choynski sported broad shoulders, a chiseled chest, bulging arms, and skinny legs. He tipped the scales at a mere 170 pounds, but was forced to fight heavyweights because he was too big for middleweights and a light-heavyweight division didn't exist at the time.

Yet the muscular Choynski, a candy-puller by trade, always compensated for any size disadvantage with his devastating punching power and bold heart. Both would prove to be the equalizer in the bloody barge affair, as well as an occasional shot of brandy between rounds.

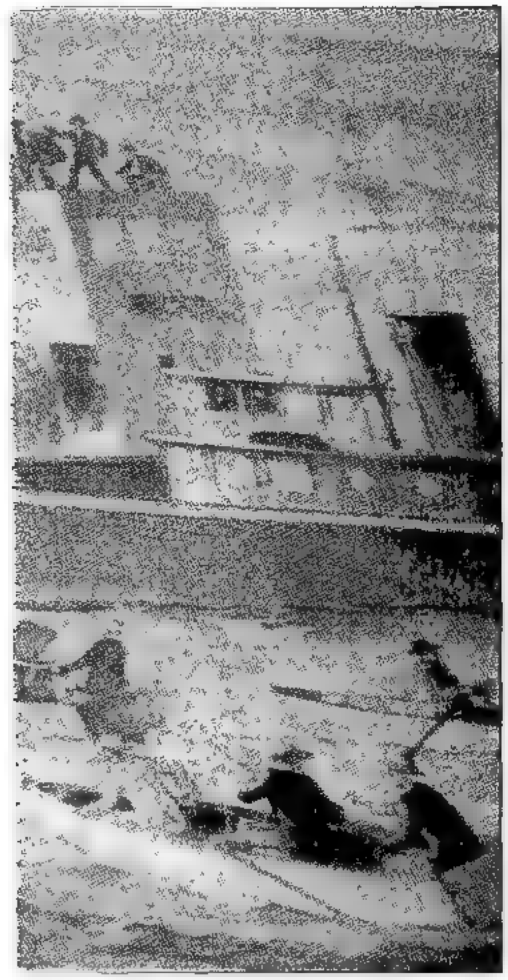
The barge fight would also become Choynski's crowning moment in a ring career that featured a knockout victory over the menacing Jack Johnson and a draw with giant Jim Jeffries. Both went on to win world heavyweight championships.

No one brought out more in Choynski, however, than his bitter San Francisco rival. Ironically, a controversy shortly before the opening call for time almost led to the fight's cancellation. Corbett wore the agreed-upon, two-ounce boxing gloves, while Choynski's seconds claimed their fighter's gloves had not arrived. One Corbett backer claimed to have seen one of Choynski's handlers put weights in the gloves and drop them overboard.

The theory behind such an action—and a reasonable one to believe—was that Choynski would destroy Corbett in a bareknuckle contest. With knuckles in Corbett's right hand already broken and heavily wrapped, that scenario probably would have played in Choynski's favor. But the gentlemanly Corbett despised the barbaric practice of bareknuckle prizefights. He refused to relinquish his gloves.

A few bloodthirsty fans began to shout for a bareknuckle showdown. Finally, Corbett gracefully allowed Choynski to wear whatever gloves he might find among the spectators.

A pair of skintight, red driving



gloves were soon borrowed from a fan, and within seconds, the call for "Time!" was heard.

Corbett and Choynski stepped to the scratch, shook hands, and immediately began dueling with left jabs. Following an uneventful first round, Choynski began pressing the attack with a bullish charge in hopes of smothering his foe and landing his deadly right hand. He would stick to this game plan throughout the fight, only to discover the slippery Irishman a hard target to hit.

Choynski's roughhouse style would still take its toll on Corbett, who landed the first hard blow of the fight in the third round. As Choynski backed into the ropes to avoid a punch, Corbett quickly followed with a smashing left to the stomach that dropped his brawny opponent. Choynski was on his feet instantly and smiling.

The two rivals were soon exchanging playful remarks.

"Quit your chinnin'!" one spectator demanded.

"Let 'em talk," a friend of Corbett yelled, "they haven't seen each other for a long time."

By the fourth round, neither fighter was in the mood for talking or smiling. A powerful exchange of body blows left Choynski open for a straight left to the mouth, from which Corbett drew first blood.

Over the next several rounds, blood flowed freely from Choynski's mouth and nose until Corbett's pink tights were unrecognizable. Choynski, whose eyes began to swell shut from Corbett's stinging left, spit up blood to keep from choking. Amazingly, the game Choynski continued to press the attack, wearing down his Irish rival.

The *San Francisco Chronicle* described how the drama unfolded:

> The excitement of the fifteenth round was intense. Both men were so weak that a child could have pushed down either. Choynski, bleeding profusely and shaky on his legs, staggered around and struck wildly at Jim, while the latter, pale with exhaustion, reeled all over the ring and lacked the strength to do any more than lift his crimsoned gloves. It was a close shave for the Professor, and when time was called it looked anybody's fight.

Round after round, Choynski desperately rushed at Corbett, taking several shots to get in one of his own. Oftentimes one of the fighters would slip on the blood-soaked, pine floorboards. Spectators were even spattered regularly with blood in the later rounds as the fighters trudged onward.

Choynski was aided by his amazing ability to absorb punishment. At one point in the fight, Choynski had a dangling piece of his lip "repaired" between rounds with one snip of the scissors.

Benician John Carty was one of the roughly 300 fans who witnessed the bloody brawl. The young Carty worked as an apprentice at a nearby shipyard, but skipped work when he heard of the big fight. He watched the showdown with friend Tom Connelly from a teetering rowboat.

Carty never forgot the carnage or courage he saw that day.

"The men were very bloody," Carty remembered in a 1933 interview with former Benicia *New Era* publisher William Dykes. "After the twentieth round they were so bloody that buckets of water were thrown on them to wash off the blood."

The epic battle came to a sudden end in the twenty-seventh round, when Choynski charged at Corbett, who received a hard right to the head. Corbett countered with a right hand to the throat that dropped his unyielding foe under the now-blistering sun.

In disbelief, the crowd watched Choynski rise to his feet.

The gritty Jewish slugger, barely able to see or raise his hands, even managed one last gallant rush. Corbett greeted him with a short, left-right combination to the temple that sent Choynski down for the last time. Choynski incredibly rose to one knee before being mercifully counted out, thus ending the two-hour ring war.

Pandemonium followed as the spectators rushed into the blood-splattered ring to cheer the weary fighters. Dazed and nearly out on his feat, Corbett asked his handlers what happened. It was at that moment he learned he was the victor.

In the mayhem, it was discovered Corbett broke his left hand sometime early in the bout, fighting the rest of the way with two broken hands. Both fighters were so exhausted they were carried out of the ring and immediately set on one of the awaiting tugs bound for San Francisco.

No one would ever guess the two combatants would meet again later that night in a San Francisco Turkish bathhouse, where Choynski was soaking his wounds. Corbett stopped by unannounced. He wanted to shake the hand of his brave rival.

Steam filled the air. And, now, so did a new feeling of respect and admiration.

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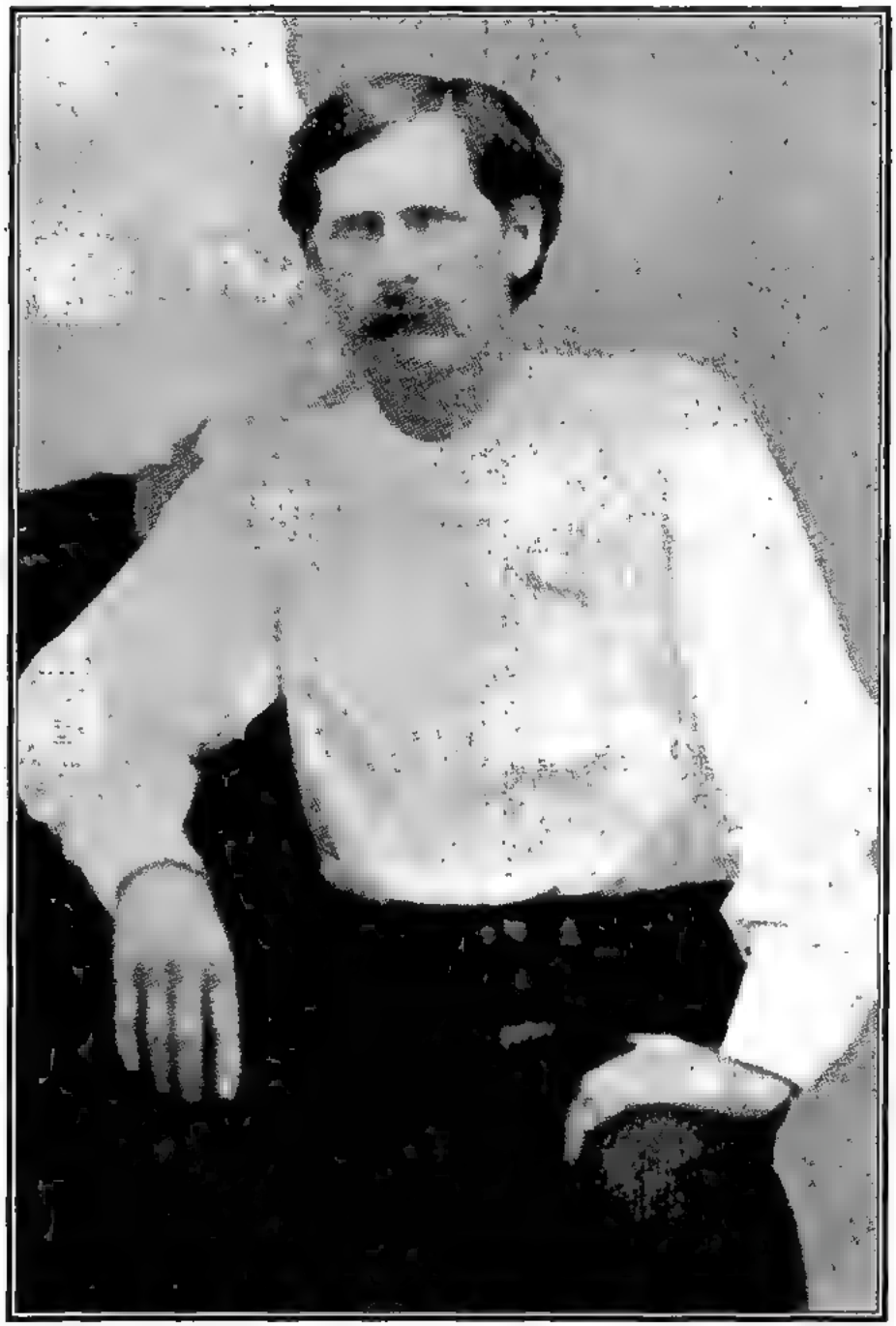
July 21, 1999

The Trial of Wyatt Earp

By Theodore Ten Eyck



SCOTTSDALE, Arizona—To some, Wyatt Earp and Doc Holliday skated out of their Tombstone troubles without a proper trial. For almost everyone, the events of October 26, 1881, are still shrouded in confusion and controversy. With that in mind, the Arizona Bar Association decided to try Wyatt Earp and Doc Holliday for their part in the so-called Gunfight at the O.K. Corral. The event took place at the lawyers' annual convention held this year at the Phoenician Resort in Scottsdale, Arizona. On Thursday morning, June 24, an overflow crowd of 450 packed into the Estrella Room to watch a full-blown mock trial of the most famous gunfight in the history of the West. According to one of the planners, the staggering $125 ticket price was intended to keep "the riff raff" out, but with almost every lawyer in the state of Arizona in the room naturally there was plenty to go around.

The case was based on a fictional wrongful death suit filed by Kathleen McLaury, mother of Tom and Frank McLaury, seeking $400,000 in economic damages and $500,000 in punitive damages for the wrongful death of her son Tom. (It's interesting to note she didn't include Frank—maybe she never liked him as well.)

In an inspired move, the Arizona Bar called on Wyatt Earp to portray Wyatt Earp (that's the actor's real name and he claims to be a grandnephew). This modern-day Wyatt performs a popular, one-

man monologue on the life of his namesake, written by his playwright partner and wife, Terry Earp, who also does a one-woman monologue on Big Nose Kate.

As an ironic side bar, the planners asked former Phoenix Mayor Terry Goddard, to portray the leader of the cowboys, Ike Clanton. A liberal, urbane Democrat and lawyer, Goddard knows nothing about the famous gunbattle but agreed to play the part for fun (as did several other participants). But once the upcoming "trial" hit the national news, it drew the attention of Terry "Ike" Clanton, who lives in California and claims direct lineage to the outlaw clan. A founder of the Clanton Gang, which meets every year in Tombstone, Clanton is a tireless crusader for his much maligned Cowboy cousins. When Clanton phoned one of the planners of the event and proposed that he, Terry Ike Clanton, should represent his namesake in the trial, the lawyer assumed Terry Clanton was just Terry Goddard having fun with them and the request was blown off. Or, so they claim. (Terry Clanton maintains they knew who he was and turned him down anyway because "My cousin Ike Clanton knew too much about the Earps and Holliday in 1881, and it sure seems like history is repeating itself.") In retrospect, Terry "Ike" Clanton would have added high drama to the event, since both the modern-day Earp and Clanton are quite proud, passionate, and knowledgeable of their lineage. Unfortunately, that element of the trial fell by the wayside.

Still, the trial was a hoot. "It was a phenomenal success," crowed state bar spokesman Matt Silverman. "The technical presentation was terrific, the witness performances were excellent, and people had a lot of fun and enjoyed themselves."

Some were not impressed. During the trial, a scholarly looking woman in the second row sat with a dismayed look as she tried to follow along with Al Turner's *The O.K. Corral Inquest* in her lap. Turner's book includes most of the verboten

Prosecuting attorney Deborah Fine hammered away at inconsistencies in Earp's testimony... "Arizonans won't tolerate the killings of innocent men on our streets."

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Cowboys Tom and Frank McLaury and Billy Clanton, killed in Tombstone, Arizona Territory, October 26, 1881, by Wyatt, Morgan, and Virgil Earp and Doc Holliday (who, according to *two* juries, were legally within their rights).

testimony in the Spicer Hearing. She kept looking at the stage and shaking her head in disgust.

National Public Radio sent a representative, as did every news outlet in the Phoenix area. A row of television cameras bristled along the back row as newspaper photographers scrambled up and down the aisles shooting off more flash than was seen at the original O.K. Corral encounter.

There was no rehearsal or run-through. The judge, the Honorable Michael Hawkins of the Ninth District Court, warned the lawyers he would not stand for any "sandbagging." Judge Hawkins also got numerous laughs when he repeatedly admonished the bevy of city slicker lawyers for casually waving evidence—Winchesters and Colt .45s—around in the air. His oft-repeated command: "Either point the barrel of the weapon, up or down, counselor."

Some of the assumptions were historically wrong, others were comical. Both the defense and the prosecution maintained Doc Holliday was in the infamous all night poker game at the Occidental Saloon before the fight. He was not. When questioned about this, one of the attorneys claimed they got it out of a book by Michael Hickey. Slides of buildings were shown to the witnesses to identify prominent Tombstone landmarks such as the Oriental and Occidental, but a few were obviously twentieth-century office buildings.

The direct examination of witnesses followed the original hearing by Judge Wells Spicer pretty much to the letter, although the Big Nose Kate testimony was created out of whole cloth. On cross examination there was room for more ad libbing, and that's where most of the humor came out. During the grilling of Sheriff John Behan, portrayed by author Bob Boze Bell, on an apparent discrepency between his testimony at the trial and an earlier deposition, Behan quipped, "You're going to have to remind me what I said, it's been 118 years." When a sweating Ike Clanton (Terry Goddard) was also caught in a discrepency, he pressed his peeling fake mustache back on, shrugged, and said, "Whatever."

The lack of a rehearsal resulted in another ironic twist of fate. The parade of witnesses went longer than expected (the trial was scheduled to end at noon), so Judge Hawkins called a side bar and the legal eagles decided to go directly to a verdict without any testimony from Doc Holliday. Of course, the good dentist never testified at the original Spicer Hearing either.

Both summations were strong. Prosecuting attorney Deborah Fine of Flagstaff hammered away at inconsistencies in Earp's testimony concluding with: "Arizonans won't tolerate the killings of innocent men on our streets." Meanwhile, defense attorney Ed Hendricks asked the audience to apply the "test of reasonableness" to his client's actions.

"This case is about whether [Earp and Holliday] had a reasonable belief that Tom McLaury was about to commit murder or aggrivated assault," Hendricks noted.

"Go back to October 1881 and walk in their boots, in a Western town that was out of control. They didn't have time to ask Tom McLaury 'what did you mean when you slapped your right hip?' They didn't have two weeks to dissect this like we did; they had twenty-four seconds."

The jury, supposedly randomly picked out of the audience, included the wife of the judge and the wife of the main defense attorney. (As any student of Tombstone history and politics will tell you, this was probably the most authentic part of the trial.) Noted Old West collector Bob McCubbin, who drove over from El Paso, Texas, to see the event, was also selected to be on the jury. In the end, the jurists took no more than ten seconds to reach a unanimous verdict: Not guilty.

The audience also got a chance to vote and electronic voting terminals (a tad larger than a television remote control device) were handed down the rows. A vote was taken in mid trial, and the results were almost instantly tablulated on giant video screens. The first vote showed a horse race, about 55 percent for acquittal and 45 against, but as the trial stumbled to its truncated conclusion, the final tabulation was 66 percent for acquittal and 33 for a guilty verdict.

Wyatt and Doc were vindicated once again. And once again the Clantons and the Cowboys had a bitter pill to swallow.

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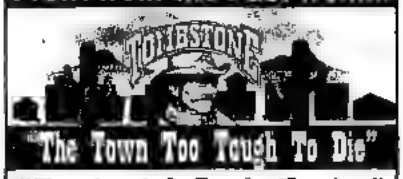

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REVIEWS

Nebraska Warrior Tales

The Nebraska Indian Wars Reader, 1865-1877. Edited by R. Eli Paul. (University of Nebraska Press, PO Box 880484, Lincoln, NE 68588-0484. Photographs, maps, notes, bibliography, index. 280 pages. $15.00 Paper.)

This is quite a good book, an overview of the Indian wars in and around Nebraska. Despite the title, the scope of the book is not as limited geographically as it is chronologically. Neither Indians or cavalry in hot pursuit of them gave a tinker's dam about territorial boundaries, of course. The stories spill over into Kansas, Colorado, and Wyoming.

The text, enhanced by thirty-two photos and a half-dozen maps, is a nice mix of eyewitness accounts and retrospective studies by reputable historians. The scholarly apparatus is all here, with the chapter notes being quite useful in giving the bigger picture and correcting long-held errors.

Paul breaks the book into four parts—Republican River campaigning; the Pawnees; the Red Cloud Agency; and the Sioux War of 1876. The best section is James T. King's account of the sweep of the Republican's valley by General Eugene Carr and his Fifth Cavalry. We finally get a look at a regiment other than the over-praised Seventh Cavalry. And George Custer could have learned a thing or two about both planning and tactics from Carr at the Battle of Summit Springs. Carr, with an under-strength command, inadequate supplies, overloaded wagons, and tired men and dying horses, still managed to pull off a coup in destroying the Cheyennes' elite warrior band of Dog Soldiers.

Almost equally good is the treatment of the Pawnee Indians and, especially, Frank and Luther North's Pawnee Battalion. The Pawnees became the best scouts that the Army ever mustered, at least when fighting such hereditary foes as the Sioux (Lakotas), Cheyennes, and Arapahoes. But only four years after their role in the Summit Springs victory, the tribe was virtually destroyed by the Sioux at Massacre Canyon, described here. This was the last major engagement of America's intertribal warfare, practiced long before the first whites clashed with Indians.

An interesting contribution is the edited diary and letters of an underage raw recruit, James B. Frew, when many of the Irish and Germans in the Army could not write their names. He got a quick bellyful of "sojering" thanks to the fights at Slim Buttes and Warbonnet Creek, and perhaps even more so by the privations of George Crook's disastrous Starvation March, when he and his fellow troopers had to kill their horses in order to have something to eat.

Well done.—*Richard H. Dillon, Mill Valley, California.*

Return of An Assassin

Return of Assassin John Wilkes Booth. By W.C. Jameson. (Republic of Texas Press, 2320 Los Rios Blvd., Plano, TX 75074. 282 pages, photographs, illustrations, maps, bibliography, index. $16.95 Paper.)

Some people, it is said, are poster children for birth control. This is a useful concept, one which deserves extension into other realms. Those who take American history seriously, and—by mischance—read this volume will wish the author had been force-fed a literary contraceptive and been deprived of enshrining this untrammeled balderdash on paper.

To gauge the worth of any historical book it is instructive to first review its sources. Inspecting the awkwardly-titled account thus sends up several warning signals. Any

proper book concerning the Civil War era cites dozens of primary records—journals, ledgers, correspondence, ad infinitum. The author lists but THREE of these and, perhaps conveniently for his purposes, no citations exist to link his research and conclusions to actual data.

The fog of doubt thickens as the author expounds his thesis, which, reduced to a nutshell, is that John Wilkes Booth was not cornered and killed on a Virginia farm on April 26, 1865. He contends that a Confederate soldier turned Union informant, named John W. Boyd, was the unlucky casualty that day. Boyd, of course, is said to have bore a "startling" resemblance to Booth. The trusting reader is asked to believe this without a shred of hard contemporary evidence—much less a photograph of Boyd—offered to back the claim.

Demolition of the Boyd-as-Booth theory, and this book's core credibility, can be accomplished with little trouble. Students of the Lincoln assassination all know that the man who died at the farm was found with Booth's diary, Booth's carbine, Booth's stickpin, and photographs of Booth's girlfriends. He was also identified, post mortem, by several people who knew Booth well.

To discredit this impressive fund of evidence, the author relies on three devices. He ignores critical information (nothing is said about the stickpin, carbine, and photographs). He scrambles cause and effect to support his conclusions (e.g., the body did not have the signet ring Booth always wore; therefore, the body was not Booth's). Also, like most conspiracy theorists, he seizes on small errors and discrepancies to void evidence not to his liking. An example: contradictory statements regarding location of a tumor-removal scar on Booth's body. Yes, the authorities disagree—but is the sum of piddling controversies like these enough to overturn the standard historical judgments?

Perhaps the most important piece of evidence relating to these events is, expectedly, omitted. During the trial of the assassination conspirators, David Herold—captured with Booth on the farm—NEVER had his defense question the identity of Booth's corpse. A successful challenge of this key point would have cleared Herold's charge of aiding and abetting a fugitive. The inaction here is telling, and should forever explode the Boyd-as-Booth theory.

Like the author's previous work on Billy the Kid's purported escape from the grave (well-deconstructed in previous issues of *True West*), the only recommendation this book can be given is to diehard conspiracy cranks. The rest of us should observe profoundest sympathy for the trees that died in vain to produce this volume.—*William B. Secrest, Fresno, California.*

Cowman Tales

Dakota, An Autobiography of a Cowman. By W.H. Hamilton. (South Dakota State Historical Society Press, 900 Governors Dr., Pierre, SD 57501-2217. Photographs, index. 203 pages. $15.95 Paper.)

W.H. "Bill" Hamilton grew up on his family's farm in West Virginia. "Then I got it into my head to get out on the frontier," he reminisced when he was an old man.

Deep down, most of us would like "to get out on the frontier." At this late date, the opportunity to experience the Old West is long past. But in 1884, Bill Hamilton went to Dakota Territory. He cowboyed, he homesteaded near Belle Fourche, and he opened a cattle ranch on range a hundred miles from a settlement. Hamilton relished life in the West, and he recorded his memories in vivid detail. For those of us who yearn for the frontier, *Dakota* offers a vicarious visit to the Old West through the exceptional memoir of a member of the last pioneer generation.

Hamilton reached lively Deadwood by stagecoach. He was struck by the gamblers and gunmen and sporting women in Deadwood's Gem Theater: "I think it was the hardest place I ever stepped into."

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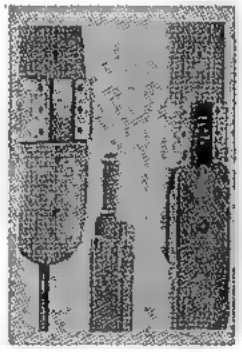

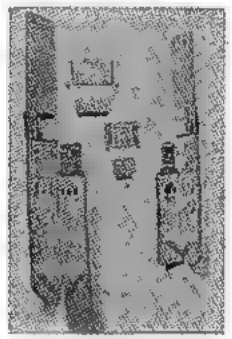

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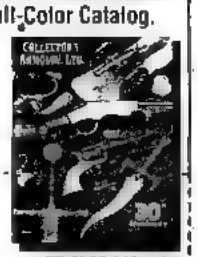

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Fearlessly he continued his journey in frigid weather that sent the thermometer plunging to forty degrees below zero. During ensuing years, Hamilton repeatedly would find it necessary to travel or tend stock in sub-zero weather. Once, having suffered snowblindness, Hamilton and a companion learned that after dark "we could open our eyes, but we did not dare go near a fire, or it would drive us wild." Their faces had been scalded by the reflection of the sun, and after a week the flesh peeled off.

Hamilton made his home in northwestern South Dakota. When South Dakota became a state in 1889, a neighbor told Hamilton he was compelled to move, "as he never had and never would live in a state—the place was getting too tame for him."

Rattlesnakes were everywhere, and in summer Hamilton killed several each day. "I always carried a quirt on the saddle horn and used it to clip off their heads." Wolves and coyotes took such a toll on livestock that Hamilton had to import a large pack of hounds to stay in business.

In 1893 Hamilton married a West Virginia schoolteacher. The couple had three sons and one daughter. Gradually they realized that their isolation from doctors, schools, and other families was unhealthy for their children. In 1901, Hamilton bought a farm near Fulton, Missouri, a community that boasted schools and colleges and friendly people. Each of the children became college graduates and productive citizens.

But Hamilton never stopped yearning for "the free and outdoor life" he had relished as a young man. And thanks to *Dakota*, those of us who missed the frontier may enjoy the rich pioneer experiences of a rugged westerner.—*Bill O'Neal, Carthage, Texas.*

Native Scenery

American Indians and National Parks. By Robert H. Keller and Michael F. Turek. (University of Arizona Press, 1230 N. Park Ave, Tucson, AZ 85719-4140. Illustrations, notes, bibliography, index. 319 pages. $40.00 Cloth.)

We have had lots of books on America's Indians and quite a few on our national parks. But this one is the first to address the connection between the two subjects.

The co-authors, in addition to their library research on the history of their field of study, have brought the story up to date by interviews with 235 Native Americans, rangers, conservationists, and politicians.

The points of conflict between the custodians of our parks and their original inhabitants are many, including water, hunting, and fishing rights, and protection of cultural and religious sites and artifacts. These disputes were simply brushed aside by the National Park Service at first, perhaps because it "bought" the absurd myth (or lie) that Indians did not originally inhabit such areas as Yellowstone, being afraid of sacred mountains and boiling geysers.

The first stage, of unilateral seizure of such lands as Mesa Verde and Glacier Park, was followed by a period of benign neglect, with Indians tolerated as part of the scenery. Tribal reaction led to today's better situation, with some cross-cultural collaboration, though a lot of repair work still needs to be done. But the authors make it clear that this is not simply a good guys, bad guys scenario. There are, alas, young or "progressive" Indians who would welcome a toxic waste facility near Pipe Spring National Monument and delight in dune buggies in Canyon de Chelly.

The National Park Service, bumbling as it was in its early years, was surely a better landlord for all of us, Indians or not, than the private sector would have been. If not for the National Park Service, Yellowstone would be a theme park today, and Yosemite Valley a gated retirement community of golf course condos.—*Richard H. Dillon, Mill Valley, California.*

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Bill Cody and Kit Carson

We all know Buffalo Bill Cody as a great showman, but he was also a husband and father.

A question from Harold R. Johnson, Big Rapids, Michigan, deals with one of Cody's children. Mr. Johnson had read that Cody was at the height of a successful stage production when he learned his son, Kit Carson, was dying. Cody hurried to be with his son and after the funeral he found that he had lost his enthusiasm for the stage. Did Cody have a son named Kit Carson? Is this true about his losing interest in the stage?

Cody married Louisa Frederici in 1866 and the couple had four children: Arta Lucille, Kit Carson, Orra Maude, and Irma Louise. In late 1873 and early 1874, Cody, Texas Jack Omohundro, and Wild Bill Hickok were performing in the very successful play, *Scouts of the Plains.* Although Hickok left the show in 1874, the production continued in popularity. In April 1876, Kit Carson Cody was plagued with scarlet fever. Cody did make an overnight dash to the boy's bedside in Rochester, New York. Cody was holding his son in his arms when the boy died on April 21. Cody returned to show business but he no longer had the enthusiasm he once did. Within weeks he had quit the stage and returned to the real West, where he joined up with General George Crook as a scout.

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William F. Cody at the time of his popular production, *Scouts of the Plains.*

Cody may have met the great scout Kit Carson at some point in their lives, but Carson died in 1868,

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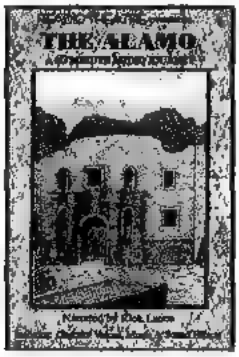

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when Cody was only twenty-two. Carson had served throughout the Civil War; Cody claimed to have served in a Kansas militia unit. It is not likely their paths crossed during the conflict and there was not much time left for young Cody and aging Carson to have developed any kind of real friendship. Most likely Cody admired Carson, as did many others of the period, and named his first and only son after him.

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Dallas, Texas, resident Jerry Parker wants to join up with a "Fast-Draw" club and seeks information on any clubs or organizations for those who have dreams of facing-down Wild Bill or Wes Hardin.

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"Hairlip" Charley Smith

Ronald E. Buermeier, Cincinnati, Ohio, has written an almost apologetic letter, admitting he is "a Western buff." Among other characters he asks about is a deputy of Wyatt Earp with the unusual moniker of Hairlip Charley Smith.

Smith has never gained great recognition but Origen Charles "Hairlip" Smith was a capable character and probably had been on the wrong side of the law in Texas before going to Arizona. In Arizona he was a known gambler and at times worked as a deputy.

When Johnny-Behind-the-Deuce was arrested for killing W.P. Schneider on January 14, 1881, in Charleston, Arizona, then rescued from a mob by Virgil Earp, Ben Sippy, and John Behan, it was Smith who drove the wagon to Tucson for the safety of "The Deuce."

Wyatt testified before Justice Wells Spicer, following the O.K. Corral shooting, that Charles Smith was one of several who had informed the Earps that Ike

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Clanton, the McLaurys, and others intended to kill them. Although Charlie may have earlier made threats against the Earps, he adjusted his thinking and joined up with them during Wyatt's so-called Vendetta Ride to punish those who had killed Morgan and wounded Virgil Earp.

Smith is listed in the Great Register of Cochise County in 1882 as a "mechanic." When the Benson-Tombstone stage was robbed on January 7, 1882, the posse was made up of Wyatt Earp, Fred Dodge, and Charlie Smith, but they didn't catch them. When a train was robbed near Pantano, Arizona, on April 27 and then again on August 10, Smith helped solve the robbery.

It is possible that the Orregon Smith (a thirty-four-year-old laborer residing in Jasper County, Texas, in 1880 with a wife and four daughters) is one and the same, although I have not been able to confirm this. The name of Oregin/Orregon is very unusual.

According to Roy B. Young's research, published in *Cochise County Cowboy War: A Cast of Characters*, Smith was a son-in-law of Robert Winders; left Tombstone in 1893; and died in Maricopa, Arizona, on November 28, 1907. Fred Dodge, however, who mentions him frequently in his memoirs *Under Cover for Wells Fargo*, states that Smith and one Charles Cunningham got into a street fight on Allen Street in Tombstone. Smith was severely wounded in the leg during the altercation. Cunningham left town and Smith was taken to Robert Winders' home to recuperate. "He did not die then," wrote Dodge, "but his Suffering was intense—he was a Cripple and could hardly get around and a couple of years later Died from the Effects of this wound."

If you have a question, send it to Chuck Parsons, Western Publications, P.O. Box 2107, Stillwater, OK 74076. Please keep questions brief. Sign your full name and address including zip code. Names will be published if question is used. Space limitations july not permit us to use all questions. Due to the volume of mail, we cannot forward correspondence to people whose questions appear in "Answer Man."

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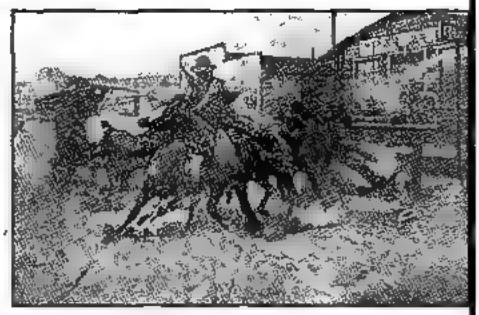

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The Murderous Miner

By Brad Prowse

In the California gold towns of You-Bet (U-Bet) and Red Dog, Jeremiah Goodwin was considered a friendly, prosperous, mining man. And so he was. But to the three men who died looking over the sights of his gun, he may have been something else altogether. Indeed, the record paints a Jekyll and Hyde portrait of this sometimes volatile man.

Jeremiah S. Goodwin—Jerry to his friends—was born in Stetson, Maine, in 1852, so when he arrived in California in 1874, the gold rush was long over. Gold was now wrested from the earth either by hard rock mining or by using monitors, huge water cannons that tore down entire hills so the gold could be washed from the debris.

In Maine, Goodwin had been a farmer and blacksmith. But a little over a half year after settling in You-Bet, he was familiar enough with mining work that his employer, the Bird's Eye Creek Company, sent him to Oregon to help fit up some mines they had there. Seven months later, he returned to You-Bet and was made supervisor of the Neece and West Hydraulic mines. Over the next thirty years, Goodwin managed several mines, among them his own holdings, the Goodwin Gravel Mine and the Goodwin Drift Mine. He was a member of the Odd Fellows and was generally well-liked and respected. But maybe there was a side to Goodwin that not everyone saw. If so, it might have come out shortly after the anti-debris laws were passed in the early 1880s.

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Jeremiah Goodwin.

Hydraulic mining was quite profitable but it was an ecological disaster. The water monitors washed away entire hillsides and sent them down water courses to the valley below. There, as the years wore on, the beds of the great valley rivers—the Sacramento, the American, the Yuba—began to fill with silt. At the least amount of winter drainage, these rivers could spill their banks, inundating cities, towns, and farms. Sacramento itself had to raise the entire town by two stories to escape floods.

Finally, the farmers exercised their political muscle and shut down the hydraulic mines...well, almost. Some miners fought back. A telephone line twenty miles long was strung between the foothill town of Smartsville and the diggings at North Bloomfield. When their man stationed in Smartsville spied government agents heading that way to inspect the close-down, the miners could be warned by phone to stop operations. Unaware they were mak-

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ing history, the miners established the nation's first long distance phone line to thwart the law.

Goodwin also resisted the shutting down of the monitors, only he used another method. During the day, he kept a caretaker staff at the diggings. Come nightfall, he had his full crew out, washing down the hills.

Goodwin was also known to go armed, with a pistol stuck in each back pocket. Then, around 1902, Goodwin suffered some paralysis from a stroke. It left him with an impaired limb, and friends and acquaintances noted a definite change of attitude in the man. Well respected, yes. Liked, generally. But there was something about the man...

In 1903, Goodwin was living in the fine, big house he owned in You-Bet. One of his neighbors was Thomas Blue. Blue had come to the area in 1855, and himself built a reputation of some stature. A Democrat, he served in the state assembly in 1876. His land, which he shared with his sons, abutted Goodwin's property. Around 8 AM on April 23, 1903, Goodwin sent a Chinese laborer, Aw Bow, out to dig a water ditch on a section of his property to be used in working the land. This ditch was near where Blue's land joined Goodwin's.

Seeing the Chinese man working away with spade and pitchfork, Blue charged out and made the man stop working. Aw Bow, who didn't speak or understand much English, retired to Goodwin's and indicated what had happened. Goodwin left his house and headed for the property line. In his pocket was a pistol, a rarity in those parts, one of the new automatics that had been on the market for only a few years.

At this point, several versions of what happened are recorded. The most accepted one—the one espoused by Goodwin—was that Blue and his nineteen-year-old son, William, had cursed him, telling him that he couldn't dig the ditch, even if it was on his property. Goodwin tried to mollify Blue by suggesting they settle the dispute in court. At this point, Blue advanced on Goodwin, striking him with a club and breaking his forearm. Goodwin continued to retreat another thirty or forty yards when he was struck again by Blue and driven to the ground. As Blue moved in to continue the attack, Blue's son started to pick up a large rock to smash Goodwin's head with.

At this point, Goodwin drew his pistol and shot the elder Blue three times and his son another three. Blue died instantly. William was mortally wounded, shot through the lungs.

Goodwin got up and headed for his house. On the way he was met by L.E. Linder, another neighbor. Goodwin went to Linder's home and then Linder went to check on the Blues. Thomas Blue was dead, but William was still alive. A telephone message was sent to Nevada City, about eight miles away, and a Doctor Tickell came out at once.

Goodwin headed for Nevada City, the county seat, to turn himself in. Along the way, he was met by an undersheriff, to whom Goodwin surrendered. Once in town, a Doctor Muller found that Goodwin had a fractured left arm and a head injury.

Goodwin testified that Aw Bow came to him after he had been interrupted in digging the ditch. "He [Aw Bow] obeyed the [Blues'] order because their attitude was a threatening one," Goodwin said.

In one of Nevada County's more celebrated trails, several more shadings of the story came out. In a disposition made before he died the next day, William Blue said that it was Goodwin who had cursed his father and that no mention of legal arbitration was spoken of. Further, his father had a cane, perhaps one-inch in diameter, not a club and he, the son, had not picked up a rock.

Porter Blue, a younger son, testified that he had observed the action from the Blue home, 200 feet away, and said he heard Goodwin curse his father. He said his brother did not try to strike Goodwin. There was some question raised as to whether Porter had been at the house or at the family well, as he had earlier

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For Goodwin's side, a Miss Nettie Harris testified she was in Goodwin's house at the time of the shooting. She said she also had seen the attack and described it as taking place like Goodwin said. After the attack, she ran to the Linder home and notified Linder of the shooting.

Aw Bow, while he couldn't understand the exchange between Goodwin and Blue, verified through a translator most of what Goodwin said. The main point he stated was that Blue started to strike Goodwin first.

Not helping the Blues' story was testimony made by Blue's granddaughter, Helen Kuffel, that she had heard her grandfather say earlier that morning that he intended to kill Goodwin. In the end, Judge George Coughlan found Goodwin not guilty in Thomas Blue's death. In a second trail over William's death, Goodwin was likewise cleared and the verdicts were generally held to have been fair.

But the double killings seemed to have affected Goodwin. In the ensuing years he became paranoid and continued to go armed. He complained about business failures and seemed worried about finances. These included land holdings, mining interests, and 850 shares of stock in the Lyman Gilmore Airship Company, a local concern headed by Lyman Gilmore who claimed he had flown before the Wright brothers—only he could never prove it.

Le Roy Marden Clark, was a foremen of one of Goodwin's properties. A quiet, unassuming man and of forty, he was also a director of the Gilmore Airship Company He and his wife had previously resided in Nevada City but now lived in one of the rooms in Goodwin's big house. The Clarks often looked after Goodwin during his bouts with the bottle and thanks to Mrs. Clark's influence, Goodwin converted to Catholicism.

In the first few days of March 1913, Mrs. Clark noted that Goodwin was acting strange. For instance, he went to Nevada City to purchase ammunition for his auto-

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Jeremiah Goodwin's residence in what is now known as U-Bet, California.

matic. He took pains to leave the ammunition out on a table where Mrs. Clark could see it, an act that alarmed her. On March 3, Goodwin cleaned up his desk and put his safe and other papers into order, something he seldom did. Mrs. Clark thought this unusual—it was as if he was preparing for something to happen. He also had been drinking at a local saloon that day and was quite morose.

That same day, a You-Bet school teacher, Hazel Stennett, was sitting in a parlor just off Goodwin's bedroom. At the time, Goodwin was laying on his bed and he called out to her, pointing to a picture hanging on the wall. It was of Goodwin as a young man. He remarked how handsome he had looked then. Suddenly, without warning, he emptied his pistol into the picture.

Terrorized, Miss Stennett left the house and found Mrs. Clark. Afraid to reenter the house, they waited until Mr. Clark returned. Clark went in and got some warm clothing for the two women. They all then waited outside for awhile until Clark went in again and found Goodwin asleep.

He told the women to go to the Clark's room and lock the door. As soon as he had fed the animals, he would return. (Another newspaper account said Mrs. Clark and Miss Stennett went directly to the Clark's room and does not mention the part about Clark finding them outside and his getting them warm clothes).

Possibly awakened by the opening of the barn door or a light there from a lantern, Goodwin realized Clark was home. He went to the Clarks' bedroom door where he attempted to break it down. Clark, still outside, heard the commotion and ran to his wife's aid.

Again, the story enters the realm of conjecture. Since the door was closed, the women could only relate what they heard.

"What are you doing by my wife's bedroom door?" one of the women heard Clark cry out. Next there was a sound, much like a scuffle. Then, Mrs. Clark said she heard her husband say, "Give me your gun, Jerry!"

This was quickly punctuated by a shot, most likely from Goodwin's pistol, followed by a volley from both men. In the silence that followed, Mrs. Clark opened the door. Her husband reeled in, calling out, "I'm done for!" Shot through the heart, he still managed to make it to the bed before he died.

Miss Stennett stepped into the death room. She had to step over Goodwin's body to get to a phone to call for a doctor, not knowing both men now were dead.

An examination of the shooting scene showed that the two men had

In the December issue of *True West*:

Gunfire in Hemphill. *By Chuck Parsons.* John Wesley Hardin's aim was a little off when he tangled with Texas State Policeman Sonny Speights in 1872, otherwise, the lawman would have been another victim on Hardin's "kill roster."

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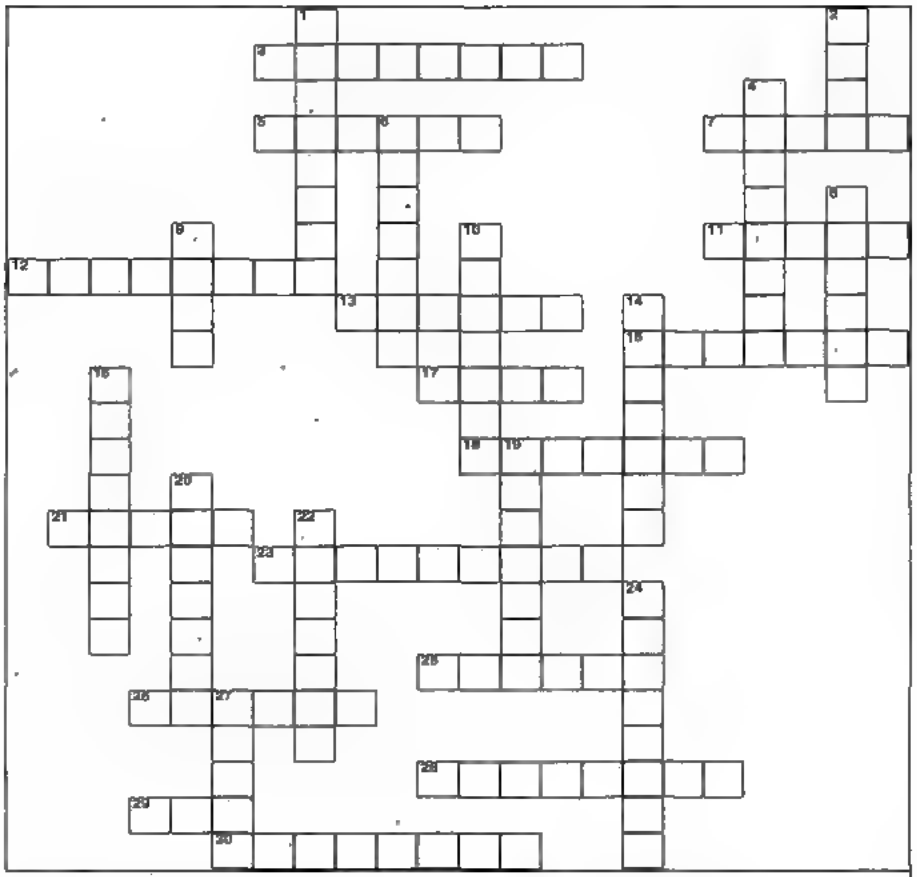
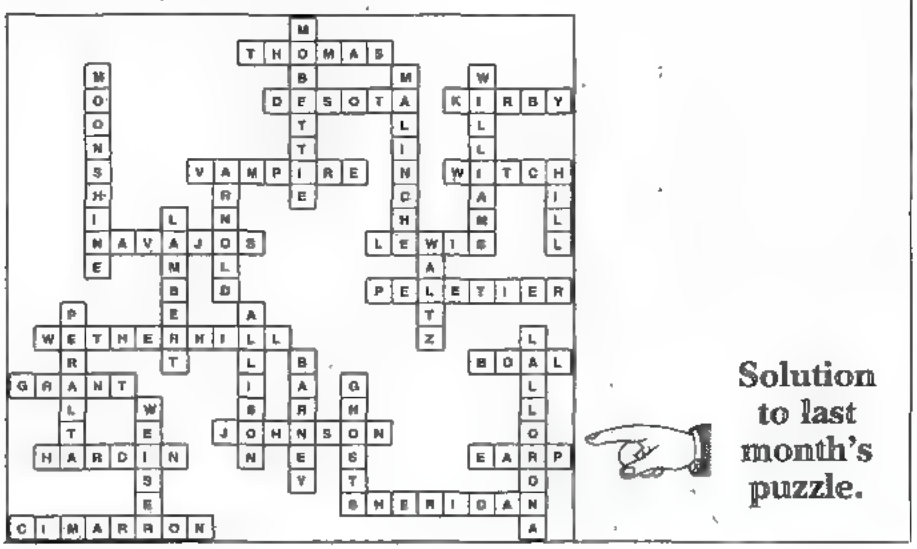


Across

3. Clyde Barrow's lieutenant
5. *Battle of the Rosebud* author
7. Led herds up the Idaho Trail
11. *Bloody Legacy of Pink Higgins* author
12. Con Shea's wife
13. Killed Bud Frazier
15. Shot Pancho Griego
17. Idaho cattle baron
18. Killed J.A. Tracy
21. Graham County sheriff
23. Charlie Rath's first wife
25. Quaker superintendant
26. Alias Joe Horner
28. Found Jeremiah Goodwin not guilty
29. Bill Cody's son
30. *Charles M. Russell* author

Down

1. Mexican minister of war
2. Praised the Pawnee Scouts
4. Took on Jim Corbett
6. The Murderous Miner
8. Silver City, ID, butcher
9. Arizona teacher/thief
10. Held up Solomonville stage
14. Charley Smith
16. Labor agitators
19. Brothers riding with Charlie Rath
20. Site of Choynski-Corbett fight
22. Fatally shot Ol Yantis
24. Pawnee scout Baptiste _____
27. Major Frank _____



Solution to last month's puzzle.

been about ten feet apart. Since a large, ornate table with a Victrola on it in the middle of the room was not disturbed, there was some doubt as to a scuffle having taken place, though Goodwin had a gash in his head that might have come from a pistol blow.

Clark had been armed with a Colt .38 and he had fired three times, hitting Goodwin with each shot. Goodwin had fired his automatic eight times, hitting Clark with four shots. The automatic pistol found in Goodwin's hand had a full clip. A search of the room turned up the empty pistol, flung aside when Goodwin reached for his second, loaded weapon. Both men received gunshots that should have been instantly fatal, yet Clark managed to stagger to his bed and Goodwin was able to draw a second gun before death overtook either man.

What was actually going through Goodwin's head those final days? It was said he was worried about business finances. One report said that his estate was worth only about $300. But his two sisters and two nephews later petitioned to take over the estate and they valued it at $46,000. There must have been some value there because in 1916, Nahum (Nahenn) Goodwin, Jeremiah's brother, turned over all his rights to his brother's estate in lieu of $1,500 to purchase a piece of property to be used as a life-estate, $5,000 for livestock for said property, and an $8000 annuity, the interest on which he could draw as long as he lived. He lived until 1930. Twenty-five hundred dollars was also set aside to pay all his other debts, excluding his liquor bills.

Goodwin was buried in the nearby Red Dog cemetery, his final resting spot unknown, as any headstone or marker has long since vanished. Along with it vanished any knowledge there might have been of the private demons that drove Goodwin to carry a brace of pistols that he was more than ready to use.

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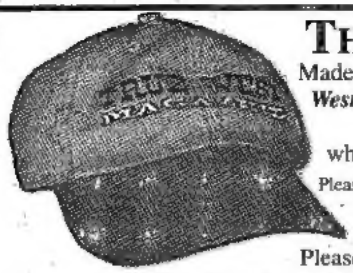

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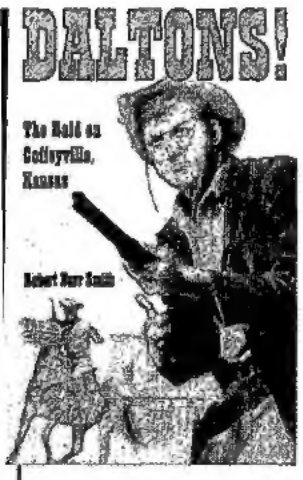

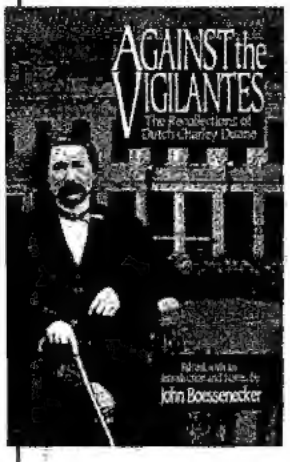

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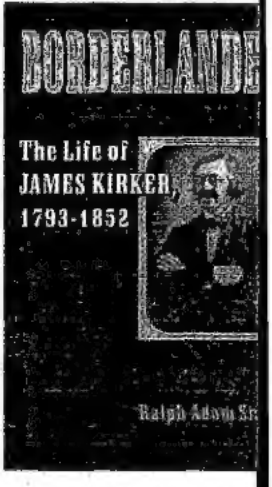

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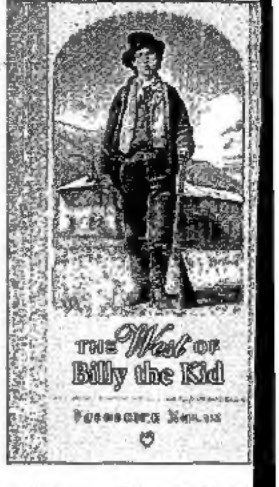

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